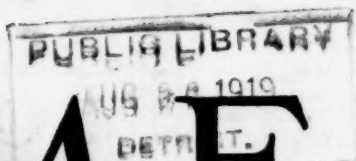


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# AMERICA

## A-CATHOLIC-REVIEW-OF-THE-WEEK

AUGUST 23, 1919

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### The Senate and Treaties

John McGuinness

### Ireland and the American Civil War

Erskine Childers

### The Menace to Alsace's Catholicism

J. Harding Fisher

*Associate Editor of "America"*

### The American Spirit and the Smith Bill

Paul L. Blakely

*Associate Editor of "America"*

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## AMERICA

A CATHOLIC REVIEW OF THE WEEK

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## Who's Who

**ERSKINE CHILDERS**, author of "Ireland and the American Civil War" in this issue of AMERICA, is a prominent English writer, a graduate of Cambridge. His principal works are: "In the Ranks of the C. I. V.," "The Riddle of the Sands," "Vol. V. of the Times' History of the South African War," "War and the Arme Blanche," etc., etc.

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## Chronicle

**The Peace Conference.**—The conferees at Paris are finding great difficulty in arriving at a satisfactory solution of the many problems by which they are confronted.

The Fiume question is as far from *Perplexing Problems* settlement as ever; British and

French delegates are unable to reach an agreement on the allotment of portions of Syria to their respective Governments; Polish boundaries still remain to be settled; relations between the various branches of the Jugoslavs are far from cordial, a separate Croatian State having been proclaimed, and Montenegro having had sanguinary disputes with Serbia; the German Government is pressing for a definite and final statement on the Danzig Constitution. The most recent source of difficulty is the report that Great Britain has just concluded a separate, secret treaty with Persia, of which the Supreme Council of the Peace Conference had no knowledge whatever.

The final settlement of affairs in Hungary will depend on the report of the committee of the Allied Generals sent to Budapest to study the situation. Pending the recommendations of this committee, the Peace Conference sent a note to Rumania on August 15, which makes the following points: that the Peace Conference is satisfied that Rumania never received the order to halt before reaching Budapest; that the Rumanian occupation has not been sanctioned by the Conference and final decision is reserved; that the Conference does not admit that the breaking of the armistice by Hungary justified the advance and seizures of property by the Rumanians; and that the Government set up by the Archduke Joseph has not been recognized. Although this note in no way commits the Conference so far as the final settlement is concerned, it is generally believed that its mild nature constitutes a moral victory for Rumania.

According to a dispatch from Tokio the Premier of Japan, M. Takashi Hara, declared to an Associated Press correspondent on August 12 that the statement of Viscount Uchida made recently on the subject of Japan's intentions with regard to the Shantung peninsula "represents the considered opinion of the Government."

The question is often asked as to when Japan will return Kiao-Chau to China. I would point out in reply that for the

restitution of Kiao-Chau, detailed arrangements should be worked out beforehand in common accord between the Japanese and Chinese Governments, and that the length of time required for such arrangements depends largely upon the attitude of China. In any case, we fully realize that it is as much in our own interests as in the interests of China to accelerate the conclusion of all needed arrangements and to effect without unnecessary delay the restitution of leased territory which we have solemnly undertaken.

Premier Hara is disturbed by the feeling of uneasiness evident in the United States concerning the disposition of Shantung, but expressed the hope that the repeated assurance of the high officials of Japan would eventually allay all distrust.

The question of the disposition of Thrace is still far from settlement. The proposal to transfer Thrace in its entirety to Greece, in accordance, it is said, with the promise made to King Constantine by France and Great Britain as an inducement to side with the Allies, has

encountered determined opposition from the American contingent at the Conference. It would appear that the first American plan by which Bulgaria would be given access to the Aegean has been definitely abandoned. The second American plan by which Thrace would be divided into three strips, the central strip, extending from the Aegean to Bulgaria and taking in the port of Dedeagatch to be set up as an international State, and the other two strips to be ceded to Greece, has met with such disfavor that it also seems doomed to rejection. M. Venizelos, the distinguished Premier of Greece, has now suggested a third plan by which all Thrace would be given to Greece and at the same time Bulgaria given an outlet to the sea; this would be effected by making Dedeagatch a free port and internationalizing the railroad connecting it with Bulgaria. M. Tardieu's suggestion was to internationalize three-quarters of Thrace.

The reluctance of the United States to accept a mandate over Turkey has left the matter of the Ottoman Empire in utter confusion. This has been increased by the announcement of the British Government that British troops would evacuate Asiatic Turkey beginning August 15. France and Italy have both refused to send soldiers to replace them, and the request that Americans be sent in their stead has met with no response from



Washington. Meanwhile it is reported that Turkish and Tartar soldiers are advancing on Armenia from three sides with the threat of another massacre.

**Home News.**—Senator Lodge, in his speech of August 12, crystallized the views of a large number of the Senators on the necessity of making reservations in the Covenant of the League of Nations before it could be ratified. He directed his opposition to certain specific articles of the Covenant, which he said would commit the United States to surrendering, at least equivalently, the Monroe Doctrine; which would put into the hands of other nations the decision as to whether the United States might withdraw from the League; which would take from the United States the power to follow her own course on domestic questions; and would render the United States liable to take part in controversies and conflicts on every part of the globe, irrespective of whether we wished to enter such disputes or not. He warned the Senate against giving up the sovereignty of the United States, and said that it would be of no service to the world and an intolerable injury to this country were it to yield any of those policies and rights on which we have built up our world power solely by ourselves. He continued:

The United States is the world's best hope, but if you fetter her in the interests and quarrels of other nations, if you tangle her in the intrigues of Europe, you will destroy her power for good and endanger her very existence. . . . No doubt many excellent and patriotic people see a coming fulfilment of noble ideals in the words "League for Peace." We all respect and share these aspirations and desires, but some of us see no hope, but rather defeat, for them in this murky covenant. For we, too, have our ideals, even if we differ from those who have tried to establish a monopoly of idealism. Our first ideal is our country. We would have our country strong to resist a peril from the west, as she has flung back the German menace from the east. We would not have our politics distracted and embittered by the dissensions of other lands. . . . Any analysis of the provisions of this League covenant brings out in startling relief one great fact. Whatever may be said, it is not a league of peace; it is an alliance, dominated at the present moment by five great powers, really by three, and it has all the marks of an alliance. The development of international law is neglected. The court which is to decide disputes brought before it fills but a small place. Those articles upon which the whole structure rests are articles which provide for the use of force; that is, for war. This League to Enforce Peace does a great deal for enforcement and very little for peace.

Senator Lodge's reservations, which are taken to be in reality amendments, reserve to the Congress of the United States the right to decide when and where American soldiers shall fight, and whether or not the United States shall act on recommendations of the Council of the League in emergencies of war and threats of war; they withhold from the jurisdiction of the League and vest in Congress alone the interpretation of the Monroe Doctrine, the determination of domestic American questions, and judgment as to whether American obligations

have been fulfilled as a condition for acting on the withdrawal clause.

On August 14, Senator Lodge, acting in his capacity as Chairman of the Foreign Relations Committee, sent a letter to the President in which he declared that the committee had instructed him by vote to

#### *The Treaty of Peace*

request the President to meet them and give them information in regard to certain points of the treaty. He also requested that no information thus given should be considered confidential, as the Senate had ordered that the treaty should be considered in open executive session. The President replied the following day:

I have received your letter of yesterday, and in reply hasten to express the hope that the Senate committee on foreign relations will give me the pleasure of seeing them at the White House on Tuesday morning next, the 19, at 10 o'clock. I also welcome the suggestion of the committee that nothing said at the conference shall be regarded as confidential. In order that the committee may have a full and trustworthy record of what is said, I shall have a stenographer present, and take the liberty of suggesting that if you should wish to bring one of the committee's stenographers with you, that would be entirely agreeable to me. The presence of the two stenographers would lighten the work. It will be most agreeable to me to have an opportunity to tell the committee anything that may be serviceable to them in their consideration of the treaty.

The same day, August 14, Mr. Hitchcock, the Administration spokesman, made it clear in the Senate that not the slightest consideration could be given to the question of amendments:

Both the President and I agreed that the immediate task is to see to the defeat of the proposed amendments. We've got to remove absolutely any probability of the dotting of an "i" or the crossing of a "t." As to reservations, the President has not changed the position he has always occupied, that even mild ones would prove tremendously embarrassing. They would, in his opinion, create in Europe the feeling that the United States entered the League of Nations and accepted the Peace Treaty without confidence in either, in a half-hearted and suspicious spirit.

The President, according to Senator Hitchcock, pointed out that even the slightest textual amendment would mean that the treaty would have to go back to Germany for reacceptance, a necessity which would put the United States in the position of begging Germany for a separate peace, and would put Germany in the position of gaining considerable advantages. He also said that an amendment of the Shantung provision would put Germany in the position of having one treaty with the Allies and Japan, transferring German rights in China to Japan, and of being asked to sign another treaty with the United States transferring those rights to China.

The acceptance of the post of temporary Ambassador to the United States by Viscount Grey, former Secretary of State for Foreign Affairs, has been greeted with enthusiasm by the British press. Speaking of his appointment the *British Ambassador to the United States* *London Times* says:

Lord Grey's acceptance of the post, even if only for a time, commands universal approval. He represents the best traditions



of public life in this country. His acceptance of the task is an act dictated by the keenest sense of duty. He has been, and is, the ardent champion of the highest ideals of the English-speaking races. The Government is fortunate in his consent, which veils their long delay in filling the post.

The appreciation of the *Times* is more or less typical. The *Daily Telegraph*, commenting on the appointment, says: "A new era is opening, and the arbiters of the world's future will be above all others, the people of the United States on the one hand, and on the other the people of the British Empire." The *Morning Post* believes that America will take the appointment of such a man as a compliment "as he is a notable Englishman," but hopes that he will not continue the "weak tradition of surrender at Washington." The American press has also shown itself sympathetic. The *New York Tribune* says that he will be the spokesman of one democracy to another.

No one in British public life is better fitted to perform the task to which he is assigned—the great business of bringing together in whole-hearted good-will the two peoples whose harmony is not only essential to both of them, but in whose good relations the whole world is vitally interested.

It is said that Lord Grey will arrive at Washington to take up his duties early in September.

**Germany.**—The various issues of the *Kölnische Volkszeitung*, that are now regularly reaching us, make plain the sensation that was created by Erzberger's revelation

of the English-French note to the Pope, written in 1917. The document stated that, with the exception

of Germany and Austria-Hungary, all the warring nations had definitely made known their aims. It therefore asked to know, before answering the Pope's peace-note, whether Germany was willing to make a general declaration of its own aims, and a precise statement regarding Belgium. While this was not a peace-offer, it might have paved the way to peace-negotiations. So the German Assembly at Weimar now views the situation. The *Leipzig Neuesten Nachrichten* writes upon this point:

If all that Erzberger declares is true, there can be no doubt that the German people have been deceived, for not once only, but dozens of times we were assured that no peace-offer had ever been made by the opposing side. In this case we have clearly overlooked an opportunity. There will be a serious accountability for the man who bears the responsibility of this neglect.

General Ludendorff at once protested his entire ignorance of the note. If his statement is accepted, says the *Volkszeitung*, then the responsibility of neglecting an opportunity for making peace would fall upon the Chancellor Michaelis and the Secretary of State, von Kuhlmann, who then were in power. The paper withholds its judgment until further investigation has been made: "Just now there are many reasons for believing that an opportunity for peace was then neglected."

**Ireland.**—The Belfastmen recently returned to Ireland from service on European battlefields were tendered a reception in Belfast. The speaker of the occasion was Mr.

Joseph Devlin, who paid fitting tribute to the Sixteenth Irish Division. Speaking of those who had made the supreme sacrifice, Mr. Devlin said:

They died, not as cowards die, but as soldiers of freedom, with their faces toward the foe, and in the belief that their life-blood was poured out in defense of liberty for the world. Unfortunately the close of the war brought to Ireland no peace and freedom, but strife and repression. Nevertheless, speaking broadly, and in spite of the unsettled state of the nations, I believe that the war has made the world safe for democracy, if democracy is but true to itself. No nation has done more, in proportion to her population and resources, than Ireland to win victory for the Allies. At least half a million men of Irish birth or blood served with the Allied forces amongst the elite of the fighting men of all nations. But none of them surpassed in valor or in achievement the men of the Sixteenth Division, the Belfast survivors of whom we have with us here tonight. No conscription was necessary to force them into the army. They were told by their great leader, Mr. John Redmond, that their war was Ireland's war, that it was a fight for Belgium and for small nationalities. They believed they were fighting, not alone for small nations and for humanity, but in a special degree for Ireland.

The speaker reminded his hearers that Ireland had fought her fight and had kept her faith, "but faith has not been kept with her. It is intolerable that things should go in Ireland as they are now going. That such a system of government as operates today should stand is an outrage upon the principles for which men fought and died. Great and far-reaching as are the consequences today they will be infinitely more disastrous in the future if a prompt and satisfactory solution of the Irish problem is not forthcoming."

Mr. Devlin after quoting General Smuts on the proper way of facing the Irish demands scored British politicians for following a policy of militarism in their dealings with Ireland. Taking up the question of Ulster, the speaker continued:

Sid Edward Carson has said that all Ulster wants is to be let alone. Then the best thing for him to do is to let Ulster alone. If he did this, then our present difficulties could be easily settled, and men who have to live out their lives in Ulster would soon come together and realize that in the common task of securing a noble peace they would find the same spirit of union which inspired and moved them in the time of the war. The Curse of Ulster is that outsiders who are not Ulstermen are the chief cause of dissension and disunion amongst our people whose interests and aims are and ought to be identical. Ulster does want to be left alone, and that also is what Ireland wants. We want Ireland for all her people of every sect and creed and class, working in harmony for that peace and progress which alone can spring from free institutions, broad-based upon the people's will. . . . Ireland is not only a nation, but at heart she is an undivided nation, and it is for this undivided and indivisible Irish nation that we claim the fullest measure of self-government and freedom.

Recent Associated Press dispatches announce the proclamation of Sinn Fein societies in Clare. The alleged

reason is the increase in crime in that county. Last month a similar proclamation was applied to Tipperary. All the while military law is in full sway and the Premier of England is still silent on the Government's future Irish policy. T. P. O'Connor calls Ireland the center of a vicious circle "where repression creates disturbance, disturbance aggravates repression and the whole program is repeated over again." Lord French calls the British Government's present Irish policy "sheer madness. The average Britisher cannot see the Irish question sensibly." A real settlement is yet to be proposed by any English school of thought. According to a Dublin dispatch on August 17 to the London *Daily Express*, the Government stopped the monthly market day at Ennis. "County Clare is an armed camp, the hillsides are white with police huts and barracks occupied by soldiers, all in battle order."

**Korea.**—Professor Homer B. Hulbert, formerly official adviser of the Korean Emperor, filed a statement last week with the Senate Committee on Foreign Relations, charging the Japanese with ruling Korea tyrannically and with meeting that nation's request for freedom by beginning "a perfect orgy of abuse and persecution on the part of the military authorities there. Thousands of people were beaten, tortured and even killed, and women were treated with obscene brutality." He continued:

The following things were common occurrences in Korea when the civil party was dominant there and Prince Ito was the Governor General: Because three Koreans, maddened by the fact that all their land had been taken by the Japanese for railroad purposes, without a cent of immediate or prospective payment, went out one night and tore up a few feet of a construction track, they were taken out and crucified and then shot to pieces. There are hundreds of photographs of this event.

When a telegraph line was cut near a country village by parties unknown but presumably by Korean guerrilla fighters, the Japanese came and burned down ten villages and left the people to freeze and starve during the winter. One old man over eighty years old, on his knees, begged them to spare his home. The Japanese ran him through with their swords and threw his body into the burning rafters of his own home.

For a score of other reasons I affirm that Japan's proposal to effect reforms in Korea by establishing there a mixed civil and military régime is ludicrous. The very fact that they include the military shows that they propose to govern Korea by intimidation, whatever be the name under which it is carried out. There is no right solution of the question except the restoration of the complete independence of the Korean people.

Professor Hulbert maintains that the continuation of Japanese control of Korea is "simply unbearable." Either the Koreans must be free "or else the world must look on and see the rapid extinction of a nation of 10,000,000 people who are intrinsically far more 'civilized' than are the Japanese themselves."

**Mexico.**—A change of policy has taken place on the part of the United States Government in dealing with

Mexico. Carranza has been warned that if the murders *Complications with* of American citizens and other out-  
*United States and* rages continue, the United States  
*England* "may be forced to adopt a radical

change in its policy with regard to Mexico." In reply the Mexican Government expressed surprise at the "menace" contained in this communication, and declared its inability to protect the lives of foreigners in sparsely settled districts. It suggested that Americans withdraw themselves into the more populated centers, where complete protection can be offered them. The note further sought to explain that no culpability rested upon the Government for the robbery of paymasters of the oil companies, who, it claimed, had refused to accept the proper safeguards. In conclusion Salvador Diego Fernandez, in charge of the Department of Foreign Relations, says in his official reply:

I believe I have made clear the true situation and the possibility of the Mexican Government giving daily increasing means of protection to life and property, as it evidently has done, and its undeniable desire to secure every class of guarantees within the national territory. In view of these facts, the menace embraced in your note has surprised the Mexican Government, all the more so since it seems strange that it should be exacted that even in depopulated regions human life should be protected in a more perfect manner than in the most populous cities of the most cultured countries where bloody crimes often occur without the respective governments thereby becoming the object of severe observations.

Our Government officials clearly indicate that if Carranza fails to carry out his guarantees, support will be withdrawn by the United States and he will be left to his own devices. This would be one of the intermediate steps preceding any actual interference. Carranza's good faith is doubted in official quarters.

Close on the heel of these events follows the announcement that William Cummings, British chargé d'archives in the City of Mexico and the last remaining British diplomatic representative in the Mexican capital, has been ordered by President Carranza to leave the country. This action is understood to be the result of the statement recently made in the House of Commons that Great Britain would not recognize the Carranza régime until there was some guarantee that the Mexican Government was able and willing to protect the lives and properties of British citizens in Mexico. Since Mr. Cummings, as a consequence, has no official status, direct action cannot be taken in regard to the decree of his expulsion, although it will have a marked effect on the policy to be pursued by the British Government. It is stated that in his annual message to Congress, September 1, President Carranza will inform that body "fully as to the state of relations with the Governments of the United States and England."

According to the latest news received three army aviators are being held by Mexican bandits for \$15,000 ransom. Instant death is threatened them should any attempt at search be made on the part of the American troops.



## The Senate and Treaties

JOHN MCGUINNESS

**T**HERE has been considerable discussion and much difference of opinion as to the power of the Senate over treaties. That there should be any misapprehension of the Senate's functions is quite surprising, because in matters of this nature, the power of the Senate is well established by facts, and clearly defined both by precedent and law. In the making of treaties the United States differs essentially from other countries where the treaties are generally made by the ministry and ratified by a majority vote of the legislature. In England a treaty requires the approval of the King for ratification. In the United States it is just the opposite. The President negotiates the treaty on his own volition, or at the suggestion of the Senate, but the Senate is the only body that can ratify a treaty.

To obtain a clear vision of the nature and history of the treaty-making power as it is conferred upon the Senate, it is necessary to study it from the time the Colonies became free. The power to make treaties is an inherent right of every sovereign nation. The Thirteen Colonies being part of the British Empire did not possess the power to make treaties, but were, nevertheless, bound by the treaties made by the Crown. When the Colonies declared their independence of England, they became sovereign, and the usual rights of sovereignty possessed by the British Empire became vested in each one of the Colonies without any restriction whatsoever. The Continental Congress which represented all the States, exercised the treaty-making power and the vote was taken by States.

Under the Articles of Confederation, no one or more States could exercise the power of treaty-making alone. This power was vested in the Congress of the Confederation, where, as in the Continental Congress, each State had one vote, but it required the vote of nine States to ratify a treaty. At this time there was no President of the United States. There was merely a President of Congress. The framers of our Constitution knew the history of the government of the Colonies and the States which were to form the Union. These men were also well versed in the history of other governments, and understood the weakness of pure democracies and loose confederations, as well as the oppressions and tyrannies of monarchies, particularly that of England under whom they had lived.

When the Constitutional Convention met, the two greatest obstacles which confronted the members were how to correct the defects in the Confederation and preserve the blessings of liberty which had been recently purchased at an enormous price. The Articles of Confederation made no provision for making treaties superior to the laws of the States, nor was there any way to enforce the treaty-stipulations, a serious defect which

had greatly disturbed the public mind, and was perhaps the main reason for calling the Convention.

The Confederation was an imperfect union of States. Each State was an absolute sovereign. The States were very jealous of their sovereignty, and considered the making of treaties one of the most important of their sovereign rights. Having recently freed themselves from English rule, it is natural that they should be suspicious of any attempt to deprive them of the right to make treaties, lest they should become involved in alliances without their consent as was the case when they were colonies. Yet, it was important that a plan be adopted, whereby the laws of States made in violation of treaties could be annulled, as the complaints from foreign powers over violation of treaties by the States had reached an acute stage and threatened to lead to a serious rupture, if not war. But the various plans of constitution discussed show that the feeling was almost universal in favor of the United States in its relations with other nations, to be entirely managed and controlled by the representatives of the States in the Senate.

The Virginia plan offered by Mr. Randolph, enlarged the Articles of Confederation, but made no mention of treaty-making. Apparently this was to be left to the States voting through their representatives. Another resolution by Mr. Randolph agreed in substance with the first draft of a constitution offered by Mr. Pinckney, which gave Congress the right to negative all laws passed by the States contravening treaties. This plan was considered cumbersome as it would create a department of the Government to enforce the treaty-stipulations and would not give the desired results. Mr. Patterson of New Jersey, would amend the Articles of Confederation leaving the treaty-making power entirely within the control of the States voting as such in Congress. Mr. Wilson thought that the House of Representatives as well as the Senate should have a voice in making treaties. This was going a step further, it brought the treaty-making power closer to the people.

The first draft of the Constitution, made by the Committee on Detail, gave the treaty-making power to the Senate alone, but the Committee of Eleven, to which it was referred, reported September 4 in favor of including the President. The Committee in acting upon this report excluded the President from the making of treaties of peace. Madison favored this amendment. Treaties of peace, he said, should be made with less difficulty than other treaties. Madison then moved to authorize a concurrence of two-thirds of the Senate to make treaties of peace without a concurrence of the President. The President, he said, would necessarily derive so much power and importance from a state of war that he might be tempted, if authorized, to impede a treaty of peace.



Gouverneur Morris disagreed with Madison. He thought the power of the President harmless, and that no peace ought to be made without his concurrence, as the President was the general guardian of the national interests. Mr. Butler was strenuous for Madison's motion, as a necessary security against ambitious Presidents. Madison's motion was lost by a vote of eight to three. A close study of the manner in which President Wilson conducted the peace negotiations will make us keenly appreciate the great wisdom and foresight of Mr. Madison.

Hamilton had very little regard for State rights, and a pronounced distrust of the people. He believed in concentrating the functions of government in the hands of a few taken from the property-class. Being cognizant, however, of the defects of the Confederation and the crisis which the country faced, Hamilton was willing to compromise on his scruples if he could save the Union. His plan gave the treaty-making power to the President and Senate.

The draft submitted by the Committee on Style read: "The President, by and with the advice and consent of the Senate, shall have power to make treaties. . . . But no treaty shall be made without the consent of two-thirds of the members present." Revised, it took the form in which we have it now: "He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur." This left the States with the same voting power as under the Confederation where nine votes were required to make a treaty.

Conferring upon the President an equal share in making treaties was a great concession on the part of the States, but there was no intention on the part of the framers of the Constitution to sacrifice the sovereign power of the States in making treaties, a right which belonged entirely to them under the Confederation. In requiring the assent of the Senate, the States preserved their sovereignty in treaty-making. The Senate being a legislative body, without the power to appoint ambassadors or ministers, could not initiate a negotiation of a treaty. Under the plan of government adopted, the President became the organ of communication between other governments, and the Convention could not do other than vest him with the power of initiating negotiation with foreign Governments.

From what has been said, it must not be thought that the Senate has not the right to advise the President to enter into a negotiation, or recommend that he cease negotiating a treaty. The Senate having the power under the Constitution to "advise or consent," can initiate negotiation of a treaty by proposing it to the President. The Senate has exercised this right. In 1798 it recommended that the President enter into friendly negotiations with the Government of Tunis regarding a disputed article of a treaty. In 1835 the Senate passed a resolution requesting the President to open negotiations

with the Governments of Central America toward the opening of a ship canal across the Isthmus. The Senate in 1888 asked President Cleveland to open negotiations with China on the immigration question.

The President, having equal power with the Senate in treaty-making, is not bound by a resolution calling upon him to open or cease negotiation of a treaty. But the fact that both Jackson and Cleveland, who were on very unfriendly terms with the Senate, acceded to its demands, indicates that both these Presidents, as did their predecessors, recognized that the Senate was well within its rights in recommending that negotiations be opened toward establishing treaties. Likewise with Lincoln who, in 1862, was advised by the Senate to cease negotiating with Mexico regarding a loan. Two treaties had been signed for the loan, but Lincoln said that the action of the Senate was conclusive on his part against accepting them.

Recently considerable difference of opinion has been expressed as to the President's right to negotiate peace without the advice of the Senate. It has been claimed that the Senate has no right to enter into the discussion of peace until the President has concluded it and sent the treaty to them for ratification. The explanation of this can perhaps be found in the growth of Federal power and the usurpation by the President of the prerogatives of the legislative branch of government, so notably begun by Roosevelt, and carried to a greater extent by Wilson. Today, the President is looked up to by very many as the one to solve every question of importance. It looks as though unconsciously we are permitting ourselves to drift into an absolute monarchy.

Certainly, the framers of the Constitution had no intention of placing the treaty-making power in the hands of a single individual. Had the States ever suspected that their right to make treaties, a right which they held to be sacred, was to be placed entirely in the hands of the President, or that they were to be deprived of their other privileges as they are today, the Constitution would never have been adopted by them.

Precedent and practice show that the power of the Senate is, as the Constitution intended it to be, equal and co-ordinate with that of the President, except in initiating the negotiation. The Senate can also initiate a negotiation of a treaty through the President who is at all times the organ of communication with other Governments.

The words "by and with the advice and consent of," come after the words "shall have power." Power to do what? To make treaties. Who? The President, with the advice and consent of the Senate, provided two-thirds of the Senators present concur. This is the interpretation Washington, Adams and Madison, members of the Convention, placed on the Constitution when they became President. They always asked the advice of the Senate when a treaty was being negotiated, and kept them informed at every stage of the negotiation through letters, documents, etc. This was the practice of all the Presi-

dents down to comparatively recent times. Washington even asked the Senate if he should make a treaty with the Cherokee Indians. Van Buren and Polk also asked the advice of the Senate before initiating negotiations with other Governments.

President Wilson, by ignoring the Senate, keeping them in total ignorance of the proceedings of the Peace Conference, forgot the spirit of the Constitution, and would establish a very dangerous precedent under a popular government like ours if permitted to go unchallenged. In 1844, President Tyler sent to the Senate a treaty which he had secretly negotiated with Texas. Here is what Mr. Wilson says about it: "The Senate rejected the treaty by the very decisive vote of sixteen to thirty-five, men of both parties alike deeply irritated that the President should spring this weighty matter upon the country in such a fashion, taking no counsel beforehand save such as he chose to take" ("A History of the American People," Vol. 4, p. 102).

Of course the Senate are powerless to compel Mr. Wilson to consult them on the treaty. They can, however, reject or amend the treaty. They can separate the League of Nations from the Treaty of Peace and give it different shape and scope, or reject it altogether. There is absolutely no restriction on the Senate when a treaty comes before it for ratification, except that it cannot add

a reservation declaring what the effects of certain provisions are to be. Mere *ex-parte* expressions of one of the parties to the contract have no effect at all upon the contract unless the assent of the other signatories is obtained. This has been definitely settled by the Supreme Court in the case of the New York Indians against the United States, also, in a case arising under our treaty with Spain. (183 U. S. Reports, 176, 180.)

When the Senate returns a treaty to the President with amendments, he requests the other party to the negotiations to agree to the amendments. If they accept the amendments, the treaty goes into effect. If the amendments are rejected the treaty falls. The President can, however, if he desires, renew the negotiations. The President need not refer an amended treaty to the other party to the negotiations. He can let the treaty die if he desires. The Senate is powerless to compel him to act after it has returned the treaty to his hands. Neither one can force the other to act.

The attitude of Mr. Wilson toward the Senate, his reticence regarding the making of the Peace Treaty, and the complexity of opinions regarding it, the decided opposition to the League of Nations, clearly demonstrate the wisdom of the framers of the Constitution in not leaving the treaty-making power exclusively in the hands of a single person.

## Ireland and the American Civil War

ERSKINE CHILDERS

IT is sometimes argued that Great Britain has the same right to keep Ireland by force within the political system of the United Kingdom as the North had to keep the South within the federation of the United States. The argument may be supposed to appeal strongly to Americans and others who are convinced that there is a real analogy between the two cases, and all the more strongly owing to the deepening reverence accorded to the memory of Lincoln as the humane but inflexible upholder of the justice of the Northern cause in resisting the secession of the South at the cost of a civil war lasting four years. But is there any analogy between the two cases? Let us see.

The American Commonwealth was formed in 1787-9 out of thirteen States, each of which had originally been a separate and distinct British colony deriving from the same racial stock, speaking the same tongue, and, with the exception of Catholic Maryland, professing the same Protestant religion. Owing to their distance from the mother country, the colonies had a high degree of internal freedom, with advanced democratic institutions and an almost complete liberty to control their own affairs except in the matter of external trade. But they had no political connections with one another. Each was an isolated unit looking solely to the mother country and it was not until Great Britain endeavored to enforce a

claim which all alike fiercely resented—the claim to tax them—that they drew together and formed combinations to resist, in the last resort, by rebellion and open war. The third of these combinations or "congresses" declared the independence of the colonies in 1776 and in 1777, drafted the "Articles of Confederation and Perpetual Union" which were signed by the various States in 1781, when the War of Independence was virtually over. But the association thus initiated and framed was in reality little more than a military league for a temporary purpose, and, when that purpose was served, proved to have no political cohesion.

There followed the great Convention of 1787, the framing of the Constitution and the establishment, on a powerful and durable basis, of the Federation of the United States. The point to be laid stress on is that this was a free compact between free States; "an open covenant openly arrived at." It was not only freely subscribed to by every constituent State but every constituent State was itself a free people expressing its voice by democratic methods and for this particular purpose electing a body expressly charged with the duty of accepting or rejecting union. At every stage there had been acute differences of opinion which had threatened to wreck the whole scheme. A minority of the delegates to the Convention had refused to sign the draft Constitu-



tion. Ratification by the individual States was slow, so that two years elapsed before all had signed. When all had at last signed, it could be truly said that no commonwealth ever framed was the outcome of freer deliberation and more untrammelled choice.

The Constitution, moreover, itself preserved freedom to the utmost point consistent with unity. Each State retained its own State constitution unimpaired, and complete liberty to control its own domestic affairs, while consenting to commit affairs of common interest to an assembly in which all the States were fairly represented and the interests of small States specially safeguarded by equal representation in the Senate.

A free but a binding compact. A masterpiece of compromise between the conceptions of liberty and discipline, variety and unity, the Constitution conceded much to both, but drew the line of concession inflexibly. Receiving a guarantee for their own State rights, the States in their turn guaranteed the permanency of the Union. Their choice to become members of it had been free, but it was final. No State was entitled to secede. The principle is not explicitly stated in the Constitution, but it is implied in every line of it. There is universal agreement now that in Lord Bryce's words, "The Union is not a mere compact between commonwealths, dissoluble at pleasure, but an instrument of perpetual efficacy, emanating from the whole people and alterable by them only in the manner which its own terms prescribe."

Relying on this interpretation of the Constitution, Lincoln and the North made war to prevent the secession of the Southern States from the Union. But we must remember that there was an additional motive. The claim to secede was based on the claim to maintain slavery, an institution reprobated and abolished in the North, maintained and defended in the South. The strength of the resistance to secession was immensely enhanced by this profound difference of outlook and the conviction it encouraged in the North that the principle of State-liberty was invoked only for the purpose of abrogating human liberty in its most fundamental form.

Common opinion has justified Lincoln and the North in proceeding to the last extremity of coercion in order to prevent secession. But it is not necessary, for the purpose of our analogy, to assume that common opinion is right. War is a fearful weapon and it may be held by some that it is wrong to use it for any other reason than self-defense, if ever for that purpose, and that, however flagrant the violation of a solemn contract, its preservation should not be secured by force. All we have to ask is this: Can the claim of Great Britain to retain Ireland by force within her own political system—the force used being tantamount to a perpetual state of war—be justified on the principles actuating the North in refusing to allow the South to secede?

The vast difference between the two cases, their almost diametrically opposite character, will be perceived at once by those who have followed, point by point, the conditions

which led up to the American Civil War. Great Britain and Ireland were never sister-colonies from a common racial stock. They were neighboring nations, differing in origin, religion and language, of which Ireland was the elder but the weaker. The stronger nation in the course of several centuries gradually conquered the weaker and governed it virtually as a subject colony, though on far more oppressive terms than those ever applied to the American colonies, confiscating its land and expropriating the native owners, persecuting its religion and garrisoning it, not only in the military sense with soldiers, but in the civil sense with "planters."

The authority of Great Britain over Ireland has changed from time to time in technical form, but never in spirit or method. Ireland used to have a parliament, just as the American colonies had legislatures, but whereas these legislatures were chosen by the people democratically, the Irish Parliament was chosen exclusively by and from the conquerors of the people, that is, from the Protestant ascendancy, and was subservient to the British Parliament, without whose support that ascendancy could never have been maintained. For a few brief years, beginning with the year in which America won its independence, this subservience underwent a partial change into something nobler and less selfish. Grattan's parliament, corrupt and exclusive as it was, had the manliness to stand for Irish rights and won some important privileges from England, but as soon as popular uprisings from the disinherited and exasperated Irish people made it clear that in the last resort subservience to England and reliance on her military force were the indispensable foundation of the Protestant ascendancy in Ireland, as soon as the choice had to be made by the members of the Irish Parliament between the liberty of the Irish people and their own exclusive liberty to govern the Irish people, a majority of them chose meanly, nay vilely, sold their Parliament to England for peerages, posts and cash, and recovered their old ascendancy in a more effective and powerful form through the direct agency of the British Parliament, whither for thirty years, under the so-called "Union," no Irish Catholic was sent. Entrenched as firmly in the Lords as in the Commons, their whole influence was exerted to the establishment of the hateful system of coercion and suspicion, the curse of both countries ever since.

Contrast the Union thus arrived at in 1800 with the Union arrived at by the Americans thirteen years earlier. In the American case the free choice of thirteen free democratic States for a Union which left their ancient free constitutions unimpaired, while creating an association of mutual interest and security: a transaction as just and clean, and as sacred under God as any in the history of mankind. In the Anglo-Irish case, a so-called "Act of Union," in actual fact, if we look behind legal forms, a deed of sale, in which the vendor was not even the rightful owner of the people sold: a transaction of the slave market.



It was impossible to develop this false Union, born in corruption and imposed by force, into a true Union of institutions, sympathies and interests. The most enlightened and unselfish British statesmanship could not have achieved such a result, so deeply had the inherent distinctions, racial, economic and religious, between the two countries been intensified by centuries of persecution, confiscation and industrial repression of the smaller and weaker. An organic Union was impracticable and was not attempted. Legislation could be only partially unified, because fundamental differences of law, which could not be ignored, had grown up in Ireland owing to fundamental differences in social structure, so that it is still necessary to pass every year many acts which apply only to Ireland and to exclude Ireland from the operation of many more applying to Great Britain. Necessarily, therefore administration could not be unified, and not for departmental reasons only, but for a decisive military reason, namely that an interminable series of coercion acts, designed solely for Ireland, had to be administered in that country. A repressive system of government must be localized in the country repressed. Fiscal and financial unification was eventually effected, but with the cruel and irritating result that a system of taxation designed for a rich industrial country with a rapidly growing population was applied with indiscriminate harshness to a poor agricultural country with a population dwindling from famine and the operation of the iniquitous land-laws which remained in force until the close of the nineteenth century.

Do Americans realize what a grotesque hybrid polity, unparalleled in any other country has grown up under these conditions and is still described as the "Union?" A separate Irish administration, irresponsible and military in character, with a professional English politician at the head of it, changing with every change of English parties: separate Irish legislation but no Irish legislature to initiate and pass it; not a vestige of direct control by the Irish people, only an occasional control exerted in the most cumbrous and unwholesome manner possible, namely, by a group of Irish members using party pressure in a House of Commons, overweighted already with British and imperial affairs, with a permanently anti-Irish House of Lords in the background, obstructing every effort for domestic reform in Ireland and thwarting every effort for constitutional change. Contrast the position of a State in the American Union, with its own legislature and administration under full popular control, its just and honorable status in the house of Representatives and its equal representation with all other States, whatever their population, in the Senate.

Of the coercion ultimately used to keep the Southern States within the Union, it can be said, even by those who repudiate war as the solution of any dispute, that it rested on sanctions as strong as any that can underlie a human contract. The sanction behind the Act of Union between Ireland and Great Britain is that of pure force.

It is not only that the Irish people was not a party to this contract. They had never been a consenting party at any period or moment of their history to foreign domination. Just as they had preserved their religion and culture under ceaseless efforts to stamp out both, so they had preserved, and still preserve, their sense of independent nationhood and their will to make it prevail. Until they freely abjure that determination, the force used to keep them under British rule has no moral warrant.

So much, then, for a false analogy. The true analogy hardly needs to be emphasised, namely, the revolt of the American Colonies against British authority and the never-ending moral revolt, exasperated sometimes to the pitch of active rebellion, carried on by the Irish people against the same authority: both revolts resting on the same foundation of human justice. And it is a circumstance which Americans in particular should remember that the impetus for their own successful revolution came largely from Irishmen who had fled to free American shores from the stagnation and oppression of their own country and that their Revolutionary War was waged, and justifiably waged—who doubts it now?—at a time when Great Britain was herself in mortal conflict with a continental enemy.

The other lesson to be drawn from the American Civil War is that North Eastern Ulster cannot secede from Ireland. Here the parallel only fails in that it is so overwhelmingly in Ireland's favor. If it was right for the North to coerce the autonomous, democratically governed States of the South, with their distinct historical individualities, their clearly defined legal frontiers, and their constitutional State-rights, *a fortiori* it is right for Ireland to resist the secession of a district with no such separate historical identity, with no identifiable frontier, with no State-rights or anything distantly resembling State-rights; a district in fact which is an integral part, legally and morally, of an individual whole, owing what distinct characteristics it has to its subjection in the seventeenth century to an organized colonizing raid in which Scottish "planters" were substituted by violence for dispossessed native Irishmen. This operation cannot be held to affect the essential unity of the Island or the indefeasible right of the Irish nation to political control of the whole of its own native soil. The Protestant colonists went to Ireland willingly. They and their descendants have remained there willingly. They did not remain Scots but became Irish, call themselves Irish and have from the first accepted incorporation in the Irish nation, not as a separate community, for substantial minorities of Catholic Irishmen are intermingled with them at every point, much less as a "State."

If the coercion of the Southern American States is to be used as a precedent at all, here is the only case in which it can be legitimately used. But indeed there need be no question of coercion. Remove from Ireland *British* force, parent and sustainer of all internal Irish divisions, and the spectre of an Irish civil war vanishes.

## French-Canadian Ideals

THOMAS O'HAGAN

WHEN Jacques Cartier planted the Cross on the heights of Quebec, then the Indian village of Stadacona, and was followed by Champlain more than seventy years after with his band of hardy French adventurers, a new ideal took root in the lands watered by the St. Lawrence and crowned by the Laurentian hills.

Unlike the Pilgrim Fathers at Plymouth Rock in Massachusetts, the Breton and Norman Rover and colonizer came to the New World with a ripened dream in his heart, not indeed a dream of conquest and subjugation, but a dream touched by spiritual vision wherein faith with its triumphs should go hand in hand with the advancement of exploration and settlement.

The history of the Puritan in America is parochial when compared with the gleam and glamour of that band of New World crusaders whose eye pierced the forests and discerned every bay and cape and body of water between the Gulf of the St. Lawrence and the Rocky Mountains, and whose service to Church and country can be justly measured only by the heroism of toil and faith.

For nearly a century and a half this new ideal went on developing; finding new soil, sowing new seed. When at length in 1759 British arms under General Wolfe snatched the Bourbon lilies from the brow of New France this ideal had taken such deep root, had so fructified that the new colony could well indeed be called New France, for had it not fashioned its life and shaped its ideals after that Mother Country which has been from medieval days the altar of civilization and the inspiration of Europe? The 60,000 French who witnessed the Treaty of Paris in 1763 and were guaranteed by this treaty the continuance and practice of their religion, their language, their laws and their institutions, after living first under the Quebec act of 1774 then under the Constitutional act of 1791 and the act of Union of 1840, had so increased and multiplied that at the time of Canadian Confederation in 1867 the population of the Province of Quebec numbered 1,190,000 of whom but 200,000 were of English descent. Today the population of Quebec is about 2,400,000.

Since the addition of Ungava and other territory acquired by the Province of Quebec during the past few years Quebec has become territorially a very large province. It is one fourth the size of the United States and six times larger than Great Britain and Ireland. The annual value of the field crops of Quebec is \$100,000,000, its dairy products \$22,500,000, its mining products \$13,000,000, its forest products \$30,000,000, and these together with the fisheries give Quebec's production in all an annual value of \$300,000,000.

But while the material advancement of Quebec is marked and striking her moral and intellectual advancement is much more so. After all is it not moral advance-

ment that marks the real progress of every people? In vain are railroads, highways and commerce, if the virtues of the home do not flourish. It is the family and its life that symbolize the nation. If this be rooted in the strong virtues from whose soil blossom honesty and truth and the strength of chaste and temperate lives there is little reason to fear the decay of a people.

The most striking phenomenon today in the life of Canada is the strong racial integrity of the French-Canadian people. Their homes upon the banks of the St. Lawrence and down along the widened beaches of its gulf could well indeed be their ancestral homes in Normandy or Perche in France, filled with the splendor of Catholic faith and bright with the simplicity and cheer and social naiveté which mark their daily lives.

The French Canadians have builded in faith and trust. They have never amid their vicissitudes swerved from their ideals. In truth they have founded and developed a Canadian province where peace, harmony and good government obtain, where as the *Toronto Statesman* recently said "wealth is evenly distributed and security against poverty and unemployment is rooted in a prosperous agricultural community which is a powerful buttress against unrest and revolution."

True, criticism is leveled at Quebec in certain quarters of English-speaking Canada for its lack of intellectual development, but this is not an intelligent criticism based upon fact but one rather rising out of racial enmity and religious prejudice. Quebec is far from being behind the times educationally. It is true there are remote rural regions in Quebec where the difficulty of organizing a school system, because of the sparseness of settlement or insurmountable barriers of nature, is very great, and neither school nor equipment is of the first or best order, but this condition is common in every country that is in a formative state. Quebec in this is no exception. Judged by the returns of literacy and illiteracy in the different Provinces of the Dominion, Quebec occupies a creditable position. Here is the percentage of those who cannot read or write in the different Provinces as found in the last census returns: New Brunswick, 14.50; Saskatchewan, 13.70; Manitoba, 13.31; Alberta, 12.72; Quebec, 12.66; British Columbia, 11.61; Nova Scotia, 10.34; Ontario, 6.51; and Prince Edward Island, 7.61.

There can be no doubt about it, secondary education in Quebec is in a flourishing condition. There are in all about twenty classical colleges affiliated with the Catholic universities where young men receive a well-rounded training especially in letters and philosophy, fitting them scholastically for a course in any of the learned professions. Nor need we mention here the academies and convents which are doing especially a good work in the training of Christian womanhood.

But what is particularly creditable to Quebec is the just and liberal manner in which the English Protestant minority are treated by the Catholic majority. From the elementary school to the university, Catholics



and non-Catholics possess a complete system of education independent of each other. The English non-Catholic minority have two universities, McGill and Bishops College, their own normal school, their own academies, their own elementary schools, their own inspectors and their own Committees of the Council of Public Instruction. For higher education the Catholics have two universities, Laval at Quebec and Laval in Montreal. It is sometimes said that the French are squeezing out the English settlers in the Eastern townships. There is not a word of truth in this nor is the statement supported by fact nor by the opinion of non-Catholics at large in Quebec. Indirectly denial is given to this from the fact that the English minority which in proportion to population would be entitled to not more than ten representatives in the Canadian House of Commons is represented there by some fifteen English-speaking members.

A little incident happened lately which testifies to the harmony and good-will which obtain among all classes and creeds in Quebec. A Rev. E. H. Brandt, principal of a school at Pointe aux Trembles, Quebec, at a Presbyterian Assembly held in Hamilton, Ontario, attacked with considerable violence the Catholic Church of Quebec stating that the problem there is not a French problem but rather a Catholic problem. Referring to this the Montreal *Gazette*, perhaps the leading English daily paper of the province and indeed one of the leading journals of the whole Dominion, said:

There is no "problem in Quebec" either racial or religious. If there is a problem at all it rests outside of this province. The citizens of Quebec of different races and religions are living comfortably and happily together building up a great province by a common effort. There is harmony because there is tolerance and because people possess what after all is a Christian virtue, that of minding their own business.

As to the moral side of Quebec it is certainly worthy of praise. Quebec is not crimeless. Indeed what country is? Yet its moral record is very high. When we take the report of the Minister of Justice for 1915 and compare Quebec with the "banner province" of Ontario, the population of both being very nearly equal, we find Ontario charged with 58,876 criminal and minor offences, while Quebec is charged with only 27,205.

Long too before Prohibition was introduced into Canada there were dozens of parishes in Quebec where there was not a drop of liquor sold, an excellent condition due to the good work of the curé. Apropos of this the story is told that once when court was being held down at Gaspé and there was not a criminal case in the docket the presiding judge was asked by a visitor how he accounted for this. The judge replied: "It is owing to three things; the work of the parish priest, the absence of liquor and the influence of the French-Canadian mother." In the domain of literature and art Quebec is second to no other province in the Dominion, if indeed it does not occupy a first place. The strength of its literary

expression like that of the French of Louisiana is found in the departments of history and poetry. Garneau, considering the disadvantages under which he labored, has given us a monumental work in his "History of Canada," while Sulte's "History of the French-Canadians" will remain for all time a work of acknowledged merit and scholarship.

No province in the Dominion can offer three Canadian poets whose work is of greater merit than that of La May, Frechette and Chapman. Nor should we fail to speak here of the rare gift of French-Canadian writers as translators of the marvelous doing into French Alexandrines of Longfellow's "Evangeline," by L. P. LeMay. As wise judicial and scholarly critics it would be difficult too to surpass the fine work of Abbé Casgrain, Camille Roy and Sir Adolphe Ronthier. Nor should we forget that our national song "O Canada" is the work of Sir Adolph Ronthier, while Herbert as a sculptor and Mlle. Lajeunesse (Albani) as a singer will be abiding and honored names for all time in Canadian hearts and homes.

## The Menace to Alsace's Catholicism

J. HARDING FISHER, S.J.

**I**N a former paper attention was called to the French Government's resolve, taken despite solemn promises still unshaken in spite of a rude and unexpected setback, to apply as soon as possible to the liberated provinces the entire educational régime now obtaining in France. The violence of the change thus contemplated will be better understood by contrasting the system now in force with the system by which it is to be supplanted. Both are set forth by M. de la Brière, in the *Etudes* for May, 1919.

The primary public schools of Alsace-Lorraine, as at present constituted, have a strictly religious character. There are Catholic schools for the Catholics, Protestant schools for the Protestants, and Hebrew schools for the Hebrews. In the program of studies, which has official recognition and approval, four hours a week are assigned to religion: two hours for catechism and two for Bible-history. Classes open and close with public prayers, and the children are taken to religious services in a body by the teachers. The clergy exercise inspection over the communal schools, not merely to make sure that religion is properly taught, but also to prevent any danger to religion or morals through the teaching of profane subjects or the choice of school-books. The teachers receive professional training in normal schools of their respective religions, in which they are instructed and examined in the tenets of the religious belief they profess, and are prepared to fulfil their duties as Catholic, Protestant or Hebrew teachers. Many of the Catholic primary schools are under the direction of the nuns. All the schools are supported by the public funds.

This system, according to the fixed purpose of the French Government, is to be changed into the system



obtaining in France. Gradually and imperceptibly, as far as this may be possible, the people are to be lulled into security and prepared by a well-organized plan of campaign to enter into all the forms of French legislation. Little by little, the course of studies, the personnel of the teaching body, the text-books, the entire régime are to be laicized. When the transmutation is complete, primary public instruction will be absolutely divorced from religion and turned into a nursery of agnosticism and atheism. The schools will become what is technically called "neutral"—a shallow euphemism which deceives no one, and is in reality a misnomer for anti-Christian. No religious doctrine will be taught in them, no member of a Religious Congregation will be permitted to enter them, prayer will be forbidden in them, every reminder of God will be removed from them, not merely from the material structures, but from the school-books as well. The teachers will be men and women trained in normal schools from which even the name of God is excluded, the favorites of the party sworn, according to its chief, to "put the lights out of heaven," primary public education, from its first to its last detail, will be under the direct control of the Masonic ministry of education at Paris, and the history of French primary public schools will be repeated: children will enter them Christians and leave them atheists. And Catholics, Protestants, and Hebrews will be taxed to support the work of rooting faith out of the hearts of their offspring.

When the schools have been taken over by the Government, the people of Alsace-Lorraine, like their French brethren, will refuse to patronize them, but with a fine show of liberalism and toleration, they will be allowed to build new schools at their own expense, to equip them as well as their exhausted resources allow, and to get their own teachers for them. The Government will magnanimously permit religion to be taught in them, provided that it is not done by members of Religious Congregations, for none such will be allowed to teach in any primary school, whether public or private.

Such is the radical change in their educational institutions with which the people of Alsace-Lorraine are threatened. It is true that the first efforts of the French Government to foist the entire scheme without delay on the recovered provinces failed miserably; but no one thinks that the effort has been definitely abandoned, for it is well understood that there has been no change of purpose but merely of method. This method has two aspects: action on the children through the medium of the schools, and action on the adults through the propaganda of anti-Christian associations.

In place of sweeping away the existing system by a single act, the French Government has begun a gradual adaptation. Men known for their lack of sympathy with Catholicism or their hostility to it have already been appointed inspectors of education in both provinces; the fact that they are strong supporters of the "lay" régime points clearly to their ultimate purpose. Many of the

former teachers, who have German fathers, have already been deprived of their posts as teachers, and they have been replaced by Government appointees, who for the most part are devoid of all religious belief and are thoroughly imbued with the atheistic principles of education to which their masters are committed. Class-manuals, to the number of 500,000, used in the French public schools, and in many cases explicitly condemned by the entire French Episcopate, have already been sent to the provinces, as a gracious gift filled with subtle poison. These are some of the means already taken to exercise direct influence on the children and to serve as preliminary steps for the eventual complete adaptation of the schools.

The work of propaganda, aimed at converting the adults, is being carried on principally by the *Ligue Républicaine de l'Alsace* and the *Ligue de l'Enseignement*. M. Jean Guiraud describes both of these associations with a wealth of detail that leaves no doubt as to their character. The *Ligue Républicaine de l'Alsace* is a recent foundation of anti-clericalism, created during the war, at the time when its patrons were insisting in the name of the *Union Sacrée* that no new organization should be started not exclusively patriotic. For its purpose it has undertaken to introduce into Alsace-Lorraine the divisions which rend France, and to effect the application to the provinces of the school-laws, separation of Church and State, and the expulsion of members of Religious Orders and Congregations. Under its banner are grouped Socialists, radicals and opportunists; and it has been placed under the posthumous patronage of Jules Ferry, the "man who by his detestable work of laicization labored more than any one else for the de-Christianization of France." Two years ago it published an almanac for distribution among the troops occupying Alsace, in which it was set forth that the best proof of French patriotism that recovered Alsace could give, was to return unconditionally and to accept with enthusiasm all the French laws. This publication was permitted by the French censor who refused permission to *La Croix* to present the religious problem of the provinces.

The *Ligue de l'Enseignement*, if not less hostile to the Church, is better known. Its founder was Jules Macé, a Freemason, its name is synonymous with anti-Catholic effort, its program, openly avowed, is to destroy the "debris of dead beliefs." Its action was officially symbolized and explained in the League's own bulletin by a cord, inscribed with the words, "*Ligue de l'Enseignement*" drawn around a mitred monk's neck and strangling in his person ignorance and superstition; it claims the distinction of having succeeded in introducing the "lay" school in France; membership in it was formally prohibited, as far as Catholics were concerned, in the pastoral of the famous Bishop of Metz, Mgr. Dupont des Loges.

To these two organizations has been entrusted the task of forming Alsatian opinion. They have entered the

provinces with fair words and seductive promises, and it may be taken for granted that they will spare no effort to bring about the consummation of Masonic designs. They are already at work. According to M. Guiraud:

The *Ligue Maconnique de l'Enseignement* and the *Ligue Républicaine de l'Alsace* are manifesting a constantly growing activity with a view to pushing forward the "adaptation"; and when the propitious moment arrives, they count on having the Alsatians and Lorrainers, infected by their sectarianism, demand the full application of the French laws of separation and laicization.

M. Guiraud's warning to his confrères in Alsace-Lorraine might well be taken to heart by the Catholics of the United States.

### "Valde Mane"

JAMES A. CAREY, U. S. A.

A LITTLE group of women, up before the morning light, were hurrying through the narrow, crooked streets of Jerusalem. The city was yet asleep, the streets deserted. In haste they sped along, the silence now and then broken by brief, anxious questioning. Each one carried a package as if it were a precious treasure. Through the gate of the city they passed, beyond the walls, winding their way down and up across a valley, to the foot of the hills where there was a tomb. What is it that drove them forth so early and in such haste? Some inward fire, the aching of love's malady was driving them. Carrying sweet spices they come seeking Jesus crucified, to anoint him. But anguish, almost the rigor of death-terror seizes them; the Tomb is empty; the stone is rolled away from its door. Ah! Some one has stolen their Lord and Lover. Aye, Life has stolen Him from death. Instead of the dead Lord they find their living, risen Saviour.

But I see other faithful little groups coming after these, hurrying along, "Valde Mane," driven by the same fire of love that still burns adown the ages, and inflames other hearts and infects them with love's fever, and drives them forth early seeking Jesus. No sluggards these. While the city sleeps they are abroad in the stillness of the morning. They are the blessed, humble class, the toilers, God's patient, loving poor, to whom rest is a boon and sleep a need, but need of rest and sleep cannot stay them. There is something high in their lowly lives, some treasure that makes their poor lives rich. They are akin to the first faithful little band, early abroad bearing love's offering to the feet of the Lamb that was slain yet ever lives.

I was abroad early in Coblenz this morning; the city's narrow streets which I had seen heretofore always crowded with civilians and soldiers, of the Army of Occupation, pedestrians in the middle of the street jostled by push-carts or dodging automobiles or tramways now took on a largeness, for they were deserted. As I turned a corner I came across a group of women hurrying along; from another street a half-dozen American soldiers as if on some purpose bent; then a group of men, women and children; then four more soldiers, two boys running down the street making much clatter on the cobble-stones, then more soldiers, more civilians. They all came from different direction but all converged in a little square. Where are they all hastening so early? There is no need to ask. They are the faithful ones, up with the morning sun, seeking Jesus, while the dew of love is still fresh in the flower of their heart.

How often have I noticed this early, almost furtive hastening of these faithful bands, comers in the spiritual, giving

love for love. Once on an early Sunday morning in the Protestant city of Berlin, little groups of men, women and children hurried along to His Tomb. I could not be mistaken. I followed them in the twisting and turning of streets, to the door of a little church, stepping into the invisible world into the dimness that was brighter than the day, more radiant than the dawn, into the presence of angels and of Him. Again in the Catholic city of Rome with its many churches and Masses at every hour; again in the city of Queenstown in more Catholic Ireland, yet at an early hour, always these hurrying groups driven by the goad of love. You can see it in your own big city, or in your own little town, this Divine phenomenon, love's early labor, rivaling, nay excelling the beauty and the splendor of the lovely dawning of the day. I was never in China or Japan or in the Mission Fields of Africa, and yet I am sure that even there where from the rising of the sun there is offered in His name the Clean Oblation one can see these ardent, little bands hurrying through deserted streets, or along forest trails on love's early errand.

We know it was so in the beginning; it was so in the times of the Catacombs, it is so now in the cities, towns and villages throughout the world, wherever is His altar and His Sacrifice, and so it will be unto the end. So it was last year in the camps of the Southern States which were but little Catholic indeed, nay rather anti-Catholic, but where the invasion of Catholic soldiers from the North brought Catholic faith, fervor and devotion. Sunday in the camps was much like any other day; it was not a day of Sabbath stillness, however, there was some change, in a longer sleep, no drilling and less marching and shouting of orders; but for our Catholic boys there was a greater change, a soul-refreshing change from the dullness and dryness of the grind of drilling, the hard iron of discipline. There was new life in them as they marched off to Mass, a fragrant freshness of the soul even in these sandy, desolating camps, a light brighter than the glaring Southern Sun gleaming from the altar of God. It seems ages ago yet it was only last year when there was a regiment in our camp, the majority of whose members were Catholic, yet they had no Catholic chaplain. Besides their regimental band they had a fife and drum corps that was distinguished above all the regiments in the camp. Every regiment had its band, but they were so numerous and played so frequently that one ceased to hear them, but not one of them had field music comparable to that of the old Fifth Massachusetts. Every Sunday morning all the Catholic boys of this regiment turned out in formation, and headed by its field music marched off to Mass to some neighboring regiment where there was a priest. These fifers and drummers could never play unnoticed at any time or in any place, and as they marched off to the Holy Sacrifice every Sunday morning crowds stopped to listen and ask, "who are they?" "Where are they going?" "Oh they are Catholic boys going to Mass." It may be only fancy, but it seemed there was a fervor and devotion in the sharp, modest music of these fifers and drummers. I know there was in their hearts.

About a month before the armistice two companies of this regiment were quartered for a time in what was the remnant of an Argonne village. It was a village nearest the front which retained some civilians. On some Sundays a soldier priest of the French army came there to offer the Holy Sacrifice. I chanced to come by that way and some of the boys learning that I was nigh, sent a messenger asking me to come over and hear their Confessions, and offer the Holy Sacrifice, and give them a sermon in English. Of course I was glad to go. Saturday afternoon I went over for their Confessions and nearly every Catholic boy in the outfit was there in front of the still-intact church to greet me, and prepare for their shriving. As I returned to the village at 6.30



Sunday morning in a side-car, an almost forgotten but familiar sound struck my ears. I could not fail to recognize it; it was the fife and drum corps of the old Fifth Massachusetts—now the Third Pioneers—leading the Catholic boys up through the village streets to the little church. What civilians were in the town were up to see them, as were likewise the French soldiers quartered nearby. Nearly every one of those boys received Holy Communion that morning. Did I preach to them? Well He did, "*cor ad cor*," and they preached to me, and to all the French soldiers and civilians in this partly shattered Argonne village, within sound of the guns. Ah! they were a fine crowd of Catholic boys, most of them I believe from Lawrence, Mass. The fife and drum corps had belonged to a Catholic sodality; they showed it. Their pastor might well be proud of them.

We are reading a great deal about the effects of battle in the spiritual awakening of our men, the enlarged vision, and spiritual exaltation; all of which is precisely what was not so in the generality of cases, as the men who were there will tell you, or as you can easily imagine in the physical conditions, in the cracking of rifles, the thunder of guns and the bursting of shells like the exploding of the universe, benumbing even the senses. War is not and never was a nursery of saints, except in some rare instances. But one moment of exaltation I did experience, and it was at the Holy Sacrifice very early in the morning before the sun was risen, in fact about 3 A. M. on All Saints Day, when the greatest artillery fire in this or any other war was directed against the enemy. I had heard the Confessions of all the Catholic boys the night before, sitting on a box out in the darkness of a field. They were told that they were to go forward the next morning at four o'clock. The reveille that awakened them in the morning was the tremendous orchestration of guns and shells and bombs on one side and the other. One shell exploded in the field where our men were sleeping, in their very midst, and by miracle indeed no one was struck. I had announced Mass for about three o'clock. Some of our boys arranged some ammunition boxes for an altar and spread a piece of canvas for a roof above the altar to hide the light of the candles. Indeed all through Mass two of them held their steel helmets over the candles for the same purpose. How they worked feverishly to get everything ready, while over them and around them, then, and all through the Mass the shells whistled and thundered; and yet, the one impression through it all was that it was a feast day. "Come on, what's the matter with you, we're safe here," I heard one of them shout. And as I talked with them afterwards I learned, as I had divined before, that all of them were thrilled and exalted.

But as this is a digression, it is not of a few bands of soldiers I would write, nor of Mass under the extraordinary circumstance of exploding shells and bombs, but of God's usual but wonderful gift to his Faithful at early morning Mass, as free as the air, as common, but as little admired as the stars, as Divine as God in His glory and to hearts that are not beholden, as clear as He was to the chosen ones in the upper chamber on the first night. "Oh, it is a little thing, the early morning Mass, and yet it is a great thing and Divine. It is just a striving to make a little extra effort for Him, a little more self-denial, a little added bitter-sweet of sacrifice. It is that personal love of Our Lord Jesus Christ that made more sweet the sweet spices of the holy women hastening to His tomb."

These adorers at dawn may not keep vigil through the night with Him, but they do their next best "*Ad Te de luce vigilo*." They give Him their first fruits, the most precious hour of the day. Little indeed, but I am sure treasured in His sight, for it is an earnest of their love. Taught of God, these supernaturalists taste how sweeter is the early morning Mass before the cares of the day have distracted them, and the glare of

the world has dried up the dew of their soul. It is something more than the performance of a duty, however sacred. It is the response to the lovely chivalry of Jesus, the All-Beautiful, revealing Himself to lowly, believing, clean hearts in these early hours. He "*Oriens ex alto*" suffuses their souls with radiance and pierces their hearts with shafts of love, and His words to them, are the song of songs, audible indeed, but which they cannot articulate—nor is there need—as the writer of the Cantic of Canticles, strive as he might, could not make articulate his song of love.

This beauty and bounty of God is all unknown to the world, as is the splendor which He showers so lavishly on the physical earth at dawn, expelling darkness, diffusing light, scattering through the world shafts and splashes of radiance and color and glory that evoke hymns of praise from all the winged and feathered songsters of the universe.

In these days of change when empires are shattered, nations rise and fall, traditions of races overturned, with an omen of upheavals and disasters yet to come, we often ponder on what old things will pass away and what new things appear; but one thing we know, His word cannot fail, He will be with us unto the end, especially in the mystery of love which He ordained; and unto the end these faithful bands taught of God will be abroad "*valde mane*" seeking Him, and He will show Himself to them as winning as in His manger, as true as in His life, as strong as in His death, as glorious as in His resurrection.

## COMMUNICATIONS

*Letters as a rule should not exceed six hundred words*

### Catholic Publicity

*To the Editor of AMERICA:*

Immediate action should be taken to make Mr. L. F. Happel's suggested publicity work effective. Great practical questions are every day coming up which deeply concern the State and religion and in the discussion of which Catholics must every day take part if we are to be men of our age and country, living men and not fossils. However humiliating the fact may be, there is no use in denying or disguising it: our present press organization operates inadequately upon the development of thought and vigorous action among Catholics themselves; among non-Catholics its action is feeble and sickly, like a plant without fresh air and sunshine.

Surely we have men in our ranks with sufficient force of character and strength of mind to establish a daily press and meet the world on equal terms. Men like the Veuillots, the Wards, Brownson, René Bazin, Nicholas Gonner, Henri Bourassa and the Abbé Camille Roy have shown what Catholic thought can accomplish in the daily press. Then let us confide the great cause of Catholic publicity to a special committee of such men, men charged with the love of God and humanity, men of large minds and liberal studies and generous aims, men inspired by Faith and genius, who will take command of their age, breathe their whole souls into it, inform it with their own love of truth, and raise it to the level of their own high and noble inspirations. "Truth is mightier than error," Brownson reminds us, "if you give it fair play; and its free and full evolution will without any care or thought on your part extinguish error. Truth suffers in the house of her friends, who are too afraid of allowing her to go abroad, lest she should take cold, sicken or die."

Orillia, Ont.

J. ATHOL MURRAY.

### The Old Slav Liturgy

*To the Editor of AMERICA:*

In the paper, "Southern Slav Religious Festival," in AMERICA for August 9, E. Christich, says: "A few weeks ago the young Prince Regent of Serbia attended the Corpus Christi celebration



in the Catholic church of Belgrade." Did the writer see any Catholic church in the capital of Serbia? In a pamphlet published by Rev. M. D. Krmpolich, a Croatian priest, who, judging by his writings, knows the politics of Yugoslavia, I read as follows: "Catholics were never allowed in Serbia proper to erect a church building in which to worship God, and were forced to conduct services in the chapel of the Austrian legation." ("Croatia and Bosnia," Kansas City, 1916, p. 25.) I too, have been in Belgrade but I failed to see a Catholic church in that city.

The writer advocates the revival of the Old Slav liturgy, and the elimination of Latin from the liturgy of Croatia and Slovenia, and claims that some Slav prelates are sharers in her Glagolitic sympathies. Does the movement for the dropping of the Latin from the Catholic liturgy of Yugoslavia come from Rome or Belgrade? If it comes from Belgrade, is it inspired by the Catholics or the Orthodox; and if it is inspired by the Orthodox, does this measure aim at the benefit of Catholicism or at that of Orthodoxy?

A Serbian writer, quoted by Dr. Krmpolich, affirms that Serbian politics are invested with the mission of denationalizing the Germans, Magyars, Polaks, Arnauts, Italians and Gypsies included within the frontiers of Yugoslavia, that is, in Bosnia, Herzegovina, old Serbia, Macedonia, Montenegro, Dalmatia, Istria, Croatia, Slavonia, Batchka, and Banat. As appears from his enumeration of countries, Serbians have become the most voracious of the small nationalities called to freedom by the sacrifices of the great ones. Is the Catholic Church to become a tool in the hands of Orthodox Serbia in the policy of denationalizing the Catholics of the other races which will probably be included within the kingdom of Yugoslavia? I do not think that Rome is Byzantium or is likely to follow the dictates of a nationalism dangerous to Catholic unity. Poland is the most heroic and aristocratic of the Slavic nations and she boasts of her Latin liturgy. Why this suggestion that after eight centuries of the use of Latin in Croatia and Slovenia, the language that is a bond of moral unity in the Catholic Church should be replaced by the archeological fragments of Glagolitism? The reunion of Christendom is merely a mask to conceal the true political aims of the Orthodox Serbia.

The large-heartedness of Serbia is evidenced not by the Concordat with the Holy See, but by the martyrdom of Father Palich, and that of Georgine Pavlovich, the heroic convert to Catholicism in Serajevo, by the Serbian proclamation of the feast of the schismatic monk Sabbas as a national day for all Yugoslavia, by the closing of all the Catholic schools in the portion of Macedonia occupied by Serbians, and by the conduct of Serbian soldiers in the villages and towns of Croatia and Slovenia. The article is silent upon these episodes of the devout Orthodox Serbians.

Philadelphia.

DR. A. PALMA.

### High Prices

To the Editor of AMERICA:

One does not need a long memory to recall to mind that in the winter of 1916, a propaganda, which did not originate with pro-Germans, was set on foot to boycott local dealers in meats, eggs, butter, potatoes, and flour. They were profiteering, it was alleged. Many municipalities had their food-investigating committees, who saw no remedy but the purchase of carload lots of broken rice to sell to the poor. Europe needed the flour! An old Yankee wholesaler bluntly told one such committee that he was losing money on what he sold locally; that he could sell all his stock at a better price for shipment abroad, and that any harsh treatment of the dealers would mean a less supply for the city. But it was not long before a boycott was unnecessary to secure a "surplus" for export. America's entrance into the war brought the food controller into power.

Now that the war is over, there is no food controller; and as some of us have too much money to limit the spending of it in this country, we must again look for a "surplus" to send abroad. Therefore, the cry "High Prices!" People will even further limit their buying; the "surplus" is secured. But, strangest of all, lessened buying will only increase prices. It is our people who must pay for European shipments in still higher prices for the smaller quantity of goods we do buy. It is a grand political play to sell army canned meat to Americans, while we "give," at the expense of our people, the real stuff to Europe. The more canned beef we eat, the more fresh beef the foreigner enjoys. And, remember, we pay for both.

Europe cannot work until we stop swamping them with goods. If we had a balance of trade against us of billions a year, we should be without employment and even poorer than we are now. It pays to keep Europe poor!

Providence.

M. P. CONNERY.

### Ireland a Nation

To the Editor of AMERICA:

In the course of the debate in the House of Commons on July 20, the Prime Minister made the astounding statement that it was impossible for him to apply the principle of self-determination to Ireland "because that country is not a nation." Surely he has forgotten that as early as the fifth century Ireland ranked among the four nations of Europe, the other three being Rome, Spain, and Germany, and that it was not until the Council of Constance in 1414 that England herself attained this dignity. In the many centuries that have passed since then, Ireland has increased rather than forfeited her right to this recognition by the many sacrifices she has made and the persecution she has so nobly suffered in order to retain her nationality. Today, bound together in one religion, only twelve per cent of her population being Protestant; in one race, for who boasts as pure blood as the Irish; in one language, though an alien one imposed by force; and in one aim, as the last election proved; she presents to the world a united front such as has no parallel in any other country, least of all in Great Britain, where there is a heterogeneous collection of peoples: Picts, and Scots, Normans, Saxons, Danes, etc., with diverse dialects and languages, twenty or more political parties, and every conceivable creed from the Quaker to a Shaker.

The right of self-determination can never be justly denied to Ireland on the plea that she is not a nation as long as history remains to tell the tale, nor can the presence of a few undesirable aliens, descendants of Scotch settlers and Cromwell's disreputable army, in four little Ulster Counties hold back much longer the triumph of right over might. Since Mr. Lloyd George's memory seems to be as hazy in regard to historical facts as it is about his election on other promises, would it not be as well for him to take out one of T. P.'s correspondence courses in history, or, better still, devote himself to Pelmanism? London.

C. CONNOLLY.

### Pulpit Counsel on Higher Education

To the Editor of AMERICA:

It has always seemed to me that it would be an excellent plan to have the priests from their altars throughout the country urge the members of their flock to attend Catholic colleges. We not infrequently hear our attention called to the parochial school, but I have never yet heard the parents admonished for sending their sons and daughters to non-Catholic colleges. The present time would be most opportune for bringing the matter to their attention, owing to the proximity of the opening date. Our universities rank with the very best in this land and it behooves us all to lend them our support, and there seems to be no better way to do so than through the medium of the pulpit.

Washington.

JAMES J. LYNCH.

# A M E R I C A

## A CATHOLIC REVIEW OF THE WEEK

### SATURDAY, AUGUST 23, 1919

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#### An Optimistic Editor and the Smith Bill

**A**N optimistic editor who usually stands firm at the helm of an Eastern weekly, takes flight to heights of optimism that may fairly be termed sublime, in a discussion of Senator Smith's recent speech in defense of his much-buffed step-child, the Smith bill. Mingled with this optimism is a simplicity almost disarming, but surely out of place in an editor, a being whose profession requires the cunning of the serpent. Senator Smith, he thinks, has at last set all doubt to rest. Catholics in particular "will be relieved to know that they have been inveighing against something imaginary," for "Senator Smith assures them that their schools will not be affected." Doubtless it was on an assurance equally in accord with the facts, that the wolf secured the position of guardian over the flock. Further, Senator Smith's speech "should set at rest all fears about the Government's . . . wanting to compel everybody to study and learn just what the Government, through its departmental heads, would wish, and in the manner it wishes."

Senator Smith's statement of what his bill will and will not affect, deserves precisely the same credence to be accorded a rabid Prohibitionist who in one and the same breath asserts that Prohibition cannot possibly interfere with the use of wine in the Mass, and that it should be employed to prevent the use of wine in the Mass. The Smith bill means what it says, not what Senator Smith says it means. In unequivocal terms, as a first requirement it directs the "cooperating" State to report in writing to the Secretary of Education, on the condition of its schools. It would argue a sweet simplicity, most refreshing in these suspicious days, to suppose that this report is ordered merely because of the pleasure which a State official may derive from corresponding with so august a personage. It is made because under the Smith bill, the State's educational program must be submitted to the judgment of the Federal Secretary of Education for approval, revision, or, should his wisdom so dictate, for rejection, until amended as ordered by Washington. This fact is not even questioned by the friends of the bill, and cannot be questioned by anyone whose ability to read will take him as far as Section 14 inclusive, of the bill. Furthermore, once a

State places itself in a position to "cooperate" with the political appointee, styled the Federal Secretary of Education, it can never revise, amend or amplify the courses in its schools, or in its institutions for the training of teachers, should the Secretary of Education hold that such action is not in accord with the provisions of the Smith-Towner act, and it must be prepared to add all courses and methods prescribed by Washington as necessary for the proper training of every American child. This may not bring about the precise state of affairs referred to by our optimistic editor as compulsion "to learn just what the Government through its departmental heads would wish, and in the manner it would wish." It differs from that state, however, only in the degree that Senator Hoke Smith of Georgia differs from Senator H. Smith; that is, by a few letters of the alphabet, and a qualifying phrase.

Optimism, in its place, is like sunshine and oil poured into wounds. Out of its place it is always a nuisance and generally a menace. It is out of its place when, ignoring the facts of life, it denies that there are such things as darkness and wounds. In the present case, it is decidedly out of its place, and because of the gravity of the issues involved, a nuisance, an offense, and a menace. And if the optimistic editor can explain how a law which subsidizes the public schools of the country, and puts their courses of study under the dictatorship of a political appointee, can fail to "affect the Catholic" and other private schools, he is fully equal to the task of inventing a perpetual-motion machine.

#### Public Officials and Criticism

**A** NEW YORK newspaper was recently haled into court by a public official who alleged that the editor has not criticised but libeled him. The offended official lost his case, and in rendering decision Judge Greenbaum stated with vigor certain truths which a republic cannot safely allow to become obscured. Public office is, most emphatically, a public trust, not a sinecure or a position which invests the holder with a quasi-sanctity, for public officials, as President Wilson has well said, are merely the servants of the people. The common welfare, therefore, and the phrase implies much, requires that the public acts of these servants of the people be ever open to inspection and, if need be, to candid criticism. Nor, under our form of government, can any official, from the constable of the most inconsiderable village to the President of the United States, plead his dignity as securing immunity from criticism. This principle of American political life was excellently worded by the late Judge Gaynor, quoted by Judge Greenbaum:

The people are not obliged to speak of the conduct of their officials in whispers or with bated breath, in a free government, but only in a despotism. On the contrary, they have a right to speak out in open discussion and criticism thereof, the only test being that they make no false statement; and this is the great safeguard of free government. It is fundamental among us.

Obviously, if a public official is allowed to go un-



checked of criticism, he will soon become a despot. Foreigners, unacquainted with the spirit of American institutions, are often horrified by the freedom with which public officers are arraigned by private citizens. Yet as Judge Greenbaum well says:

The value and force of a representative government would be most seriously impaired if its officials, who are merely the servants of the people, may not freely be criticised concerning their official acts, by those who indirectly employ them. . . . The blessings of a democratic government can never be fully realized unless a vigilant, alert and intelligent electorate feels it to be a duty of citizenship to inquire into the character and fitness of candidates for public office. Wide publicity of the official acts of candidates for re-election is peculiarly desirable. The voters should be in a position to determine whether the official conduct of their representatives indicates good judgment and faithful service, or subserviency to private interests or self-seeking personal advantage. The law should encourage such criticisms, and do naught tending to put a restraint thereon.

This is wise counsel. When States and communities have suffered from crews of political pirates who would not hesitate to scuttle the ship of state should such action benefit their interests, this deplorable condition has always been traceable to lack of interest in the public welfare on the part of supposedly "good citizens." In these days, when so much that is hostile, not only to the Catholic Church but to the fundamental principles of morality, is making its way into legislation and the acts of public officials, the duty of the citizen to watch and, when necessary, freely criticise the men and women whose chief function is to serve the people, becomes doubly urgent.

#### The Road Back Home

AS we some day, Andrew Carnegie has come into the sure heritage of all men, a grave. His mansions and his mines, his fleets upon many seas, his mills that blacken the skies, and the golden music of money that can buy all things (save love and honor and friendship, and every sweet and good thing in life, and—eternity) now mean nothing to him. Poor he came into the world; poor he leaves it. His grave alone is his own, not by law, for the law vests no title in the dead, but by the pity of mankind. Strait or narrow or wide, it may be; or digged in the heart of a murmuring wood, or within sound of the surge and thunder of the unquiet sea: he will neither complain nor admire. He has had his day. His life is now measured by eternity. The world that knew him, to admire or hate, cannot say, "He is." The scroll is rolled up. He was. *Fuit*.

The lesson of life that is so old, we learn but slowly. Poet and moralist have taught us, even when we would forget God, the common ending of mortals. We are destined to die. Our very name stamps us as beings whose life is merely a waiting for death. Scepter and spade, beggarly rags and regal robes, can neither stay nor hasten death and the grave. Golden lads and lassies join hands with grimy chimney-sweeps to go down to it; the grey hairs of age must mingle with its hated dust, and the flesh

that was man, be made acceptable to the gravel of Cocytus. "Thou hast made me as clay, and thou wilt bring me into dust again."

What is it worth, this hurried existence that we call life: to struggle, to suffer, to see the better and to do the worse, to have within these bosoms, hearts that yearn and throb and are never sated, to know the bitterness of lonely hours for the sunshine of a moment, and in the end, like waters that return no more, to sink down into the earth, with all memory of us soon forgotten? If this be all that life can offer, is it worth while?

The answer cannot be sought in wisdom purely human, but only in a realization that our problem transcends time and space. This earthly life begins in another's pain, with the sound of wailing; it ends as the clods fall one by one upon the unheeding form. Bitter and profitless must existence be, to the man who cannot understand that the brief span stretching from the cradle to the lonely grave is not life, but life's preparation. The cradle is the beginning, yet the grave is not the end, but the portal, through which we pass to our real life, whose character has been determined by our acts freely done. "Seek ye not death in the error of your life, neither procure ye destruction by the works of your hands." If we know God and love Him, life's problem is solved. "We know that if our earthly house of this habitation be dissolved, we have a building of God, a house not made with hands." Here we have no home, but in the lasting City of God are many mansions. No tears are there, no pain, no death, but only love and peace, and rest forever, in the bosom of God. That is our lot if we wish it, and secure it by the work of our hands; that, our real life, for it is eternal. This life on earth, winding through toil and tribulation, knowing more of thorns than roses, is only the road that leads us, as weary children, home.

#### The Priests' Eucharistic League

IN these days of intense activity, when governments are seeking to curb the wild excesses of profiteers, and industries are struggling under the constantly increasing burdens of higher wages and rising costs, while the stability of nations itself is imperiled, there is need of turning to the one Supreme Source whence help can come. It is more than ever necessary that we should remember there are other remedies besides those that economists can suggest and social experts devise. From the silent Tabernacle is extended today, as ever, the pressing invitation: "Come to Me all you who labor and are burdened and I will refresh you."

Such was the thought Archbishop Messmer placed before his audience at the Silver Jubilee Congress of the Priests' Eucharistic League, which was held August 4-7, at Notre Dame University. It was inspiring to behold the splendid attendance of bishops, priests and religious, as well as of the laity, who thus expressed their living faith in their Eucharistic Lord, and came from the most distant parts of the country to render Him their

worship and devotion. Here, as they well knew, must be sought the light and strength that in the hours of thought and toil will enable us to be of truest service to our fellow-men. It was from this source that all the great works of reconstruction, accomplished by the Church in the past centuries, have taken their origin.

In the open-air procession with which the convention closed nearly 1,600 people participated. It was night-fall and the clouds hung threatening, but through a rift in the sky the last roseate rays fell on the golden Monstrance, pointing to our hope, our joy and our strength in the Eucharistic Saviour. Promotion of the Priests' Eucharistic League, and of the practice of the Holy Hour, were urgently recommended at the convention, and should at the present critical moment be undertaken more earnestly than ever. In imparting his blessing to Bishop Schrembs, as President General of the League, and to all its members, the Holy Father expressed his wish that "through such union, apostolic zeal and sanctification of the clergy may be fostered and increased." From them that same consuming fire will communicate itself to the Faithful, and so to the world at large, that it may once again be truly renewed in Christ.

#### The Passing of Haeckel

**E**VEN the interest in after-war problems was not strong enough to allow the death of Haeckel to pass unnoticed. For the last four years German Kultur was a thing despised but the press of the world forgot itself and proclaimed the greatness of one of Kultur's most-renowned exponents when the wires flashed the news that Ernest Haeckel had died at Jena. When Darwin gave his theories to the world in 1859 Haeckel's career was beginning. He greeted the Englishman's evolutionary theory with pleasure and pushed it further than its great discoverer, declaring for more definite conclusions than primal Darwinism claimed. Haeckel traced the evolution of man through twenty-six stages and he drew up a geneological tree showing the origins and relationships of the animal kingdom. His "Riddle of the Universe" published in 1900 gave Monism a popular vogue and threw the creation hypothesis into the discard. Shells and protoplasms were all-sufficient and Divine Providence must not have place in the scientist's vocabulary. It belonged to the Sunday-school.

As Haeckel had embraced Darwin so the international compliment was returned and Huxley applauded Haeckel for carrying out into practical application the theories of evolution. In fact England was kindlier than Germany to the German for Virchow took issue with his fellow-countryman as did many German scholars. In university circles the story ran that Haeckel and Virchow were very close to coming to blows. Haeckel very plainly held that the highest mind came from the brute by evolution, that every living cell had a mental life and the soul of man was the sum-total of the many organisms of which he was composed. He postulated the

"missing link" long before it was found in the pages of the Sunday supplement or the popular magazine. For it has been discovered nowhere else.

It will be interesting to note what the English scientific journals will have to say of Haeckel, the German scientist, remembering that at the outbreak of the war his science did not prevent his devout utterance of the gentle wish that the England of Darwin and Huxley might be downed at any cost. And in many ways that same England belonged to Haeckel more than to Darwin for its pseudo-scientific circles made him a man to be revered. English educators, and for that matter American educators too during the excitement of war emotions, declared the German language no longer a suitable cultural study. They did not revert to the fact that their false philosophy so deeply seared into their educational programs was largely due to Haeckel and his school. It was a patriotic thing to eliminate German from the list of languages. It stood for Kultur, a thing henceforth to be abhorred. Language is but the shell of thought. The poison is not in the shell. And while patriotic Englishmen and Americans were driving German out of the schools no one stopped to consider that the poison of false philosophy that goes by the popular term evolution was firmly established in nearly every high school and college and university where Catholic influence was not dominant. Haeckel is gone and Darwin too. The missing link is still missing. Yet the ordinary American and English college lad and miss are drinking deep of Haeckel's German Kultur, which is poison, while being deprived of Haeckel's language, which is useful.

#### Public and Private Ownership

**O**N the first of August the Government relinquished control of telephone and telegraph wires, and the Postal Telegraph Company at once announced a twenty per cent reduction in its rates. Government control was a war necessity and as a necessity it was accepted by a patriotic people. It has taught many lessons. Doubtless the most important is that public ownership or government control does not necessarily imply efficiency. Advocates of public ownership are less enthusiastic today than they were two years ago. And when the whole situation is reviewed and the difficulties of management during a period of national stress duly considered, the conclusion will be reached by the impartial observer that the Government is a poor business manager.

Mr. Hurley on his retirement from the chairmanship of the Shipping Board has given a very good verdict on public and private ownership. As soon as the Government had to assume the burden of cost employer and employee entered into a wild scramble for money and more money. Prices soared rapidly, while interest and incentive waned:

For new shipyards we furnished the capital, we guaranteed the wages, we provided the profits. What natural incentive was there to keep costs down? As we view the opposite conditions



under which our industries have grown to their present vast extent, how could we look for efficiency under such a system? And if we had government ownership over the country, nationally, taking in all the public utilities, the same results would follow. More, you wouldn't have outside of the Government-owned plants that efficient competition which remains the life of trade.

This is the vital weakness of public ownership. It eliminates healthy competition and destroys initiative. There is no interest in the individual if there is no rivalry and if come what may the Government pays the cost. Private enterprise should be stimulated by the statement of Mr. Hurley to continue, and above all to improve.

## Literature

### "FRANCIS CARLIN'S" POETRY

ONE summer evening in the early nineties, James MacDonnell, a twelve-year-old boy of Norwalk, Conn., was bringing home, with his brother's help, a big basket of washing for his widowed Irish mother to do. As the lads stopped to "change hands" they chanced to hear a little girl in a neighboring house reading from the local paper some verses protesting to the Selectmen of the village against the writer's street being ploughed up. James listened in speechless rapture, for those lines were his first published "poem." "It was the reading aloud of the Catholic Bible in our home that first put the wonder on me," he avers, "as well as the rhymes and riddles of my grandfather, whose name my pen now bears." Another strong literary influence of his childhood was John Ruskin, whose works the town librarian introduced to the boy. But deeper and more lasting in its effects than even the Bible and the genius of Ruskin, was the few months' sojourn James had in Ireland when he was about nineteen. In his impressionable mind and heart were then sown, no doubt, many of the melodious thoughts about Ireland's natural beauties and ancient legends and regarding the faith and purity of her children, thoughts and images which were to delight Mr. MacDonnell's readers some years later on the appearance of his first book of poems.

Not long after returning from the land of his ancestors the youth became a helper in a shoe-factory. Another journey to Ireland, made at the age of twenty-three, when his heart, no doubt, was brimful of unexpressed poetry, forced Mr. MacDonnell, so to speak, to begin versifying. Coming to New York he became a floor-walker in a big department store, selling rugs and carpets by day and composing in his hours of leisure the melodious lyrics which he gathered together in 1917 and published at his own expense under the title of "My Ireland." The book received at first little attention from its readers and reviewers. But by and by such discerning critics as Padriac Colum, William Marion Reedy, Christopher Morley and William Stanley Braithwaite proclaimed "My Ireland's" high poetical worth, and finally "Tom" Daly brought it to the notice of the publishing house of Henry Holt & Co., who took over the remaining copies of the first edition of "My Ireland" and at once arranged to bring out a new one under their own imprint.

But when these "Songs and Simple Rhymes" of "Francis Carlin" appeared in the spring of 1918 the American people were not so fully in sympathy with Ireland's national aspirations as they are now, so perhaps this is a good time to point out some of the poetical beauties in Mr. MacDonnell's volume. "My Ireland," the opening lyric, admirably strikes the book's keynote:

My Ireland is wholly mine  
For all the Lovers shot for Her . . .  
My Ireland is wholly mine  
Because this world is not for Her.

It is a sort of Sinn Fein battle-cry. To him "The Dublin Poets'" "song is a sword," and he aspires to belong to that high company of bards who use their power of poetry

"To make the Tyrant realize  
That a Martyr's music never dies."

"The Ballad of Douglas Bridge," where the poet met the shade of a seventeenth-century patriot whom the English "hung high" "For riding with O'Hanlon," "would win approval," attests Mr. Colum, "at any Irish fireside," so "direct in phrase and fervent in feeling" is the poem. Since Mr. MacDonnell wrote his sonnet on "The Grey Ghost" who is doomed to

Wander o'er the marsh and foggy fen.  
Until the Irish gather with a cheer,

In Dublin of the Parliaments at Dawn,

the Dail Eirenan has met in the Mansion House, so perhaps the wraith of Cromwell no longer visits the glimpses of the moon.

To Mr. MacDonnell's Muse the charms of romantic Ireland appeal no less strongly than does the tale of her long battle for freedom. He musically sings:

O Lady, whom the bards call Kathaleen,  
Sweet Banba of the silky mantle's sound,  
And Fodla of the whisper that inflames:  
You are to me that rare dark Rosaleen

For whom I would be singing poems, found  
In the numerous-noted music of your names.

"Old Mother Ireland," "with a star in your soul and a song in your breast," is ever calling to him. Erin's longing for the return of her fair and holy daughters, who have been forced in countless numbers to find homes in alien lands, has never been more feelingly and musically expressed than in "Maureen Oge," a poem quoted in our issue of May 18, 1918. "The Swallow,"

"With the night on his back  
And the day on his breast"

bears back to Ireland the musing soul of the poet and then he recalls the fascinating fairy lore he heard there as a boy. That Elf, for example, whom he chanced to meet "By Clodagh's Stream," who was "as supple as a slender rush" and who "had her dancing slippers on," it is of course given only to the favored few to see, and as for the description of the little boots which the benevolent "Wee Folk" made "for every hen, That scratches on the graves of men," and the account of what befell Katty Shields who very imprudently cursed the cobbler-fairies, no one, it is clear, could possibly give unless he had lived for some time, as Mr. MacDonnell no doubt has done, on terms of the closest intimacy with the "Good People." With a few deft words he describes "The Irish" and a poem on "The Celt" vividly pictures the character and the coming of the earliest inhabitants of Ireland. The poet's gratitude for the welcome "kind Donegal" gave him as a boy is so tender and strong that he sings:

Do I mind the soft welcome of those  
Whom I left in Raphoe with regret?  
Oh! the twigs in the nest of the crows  
Shall blossom before I forget.

The author of "My Ireland" tells his readers that:

Not always would I go along  
With constant features looking up:  
For some discovered butter-cup  
Might prove the subject for a song:

and many a page in the volume proves that he can sing so simply and melodiously of common things that he reveals the poetry hidden in them, and he has also mastered the technique of the epigrammatic quatrain, several excellent examples of

which can be found in his volume. Here, for instance, is one entitled "Perfection":

Who seeks perfection in the art  
Of driving well an ass and cart  
Or painting mountains in a mist  
Seeks God although an Atheist.

Being a staunch Catholic, however, the author finds in the holiness of Ireland, as was to be expected, his highest inspiration. Every person of discernment who has given the subject attention is of course aware that no babes smile in their sleep as prettily and as frequently as those of Irish mothers. In "The Baby of St. Brigid" Mr. MacDonnell confides to us the reason of that interesting fact. For

Upon a day as Brigid prayed  
In an ecstasy, a Babe was laid  
On her open arms by Angels three  
Who stood to guard the mystery.

Now being wise in Faith she knew  
The little child to be the Jew  
Whom Patrick called the Living God,  
The Native-Born of every sod.

And being wise in Hope she kissed  
The dimples in her Darling's fist,  
And being wise in Love she sung  
A lullaby in her ancient tongue.

Then the Angels guarding the mystery  
Of a sleeping Babe on a maiden's knee,  
Bent low to her in whispering joy:  
"Hail! Foster-mother of Mary's Boy!

"Since you have sung Him into sleep  
We promise for to come and peep  
Into the dreams of every child,  
By Erin's slumber-songs beguiled."

"The Virgin's Slumber Song" gives the text, no doubt, of the lullaby St. Brigid then sang to the Holy Child. "The Dead Nun" pictures effectively the austere beauty of Sister Lucy's bier, and perhaps there is no finer poem in the volume than the author's sonnet on "The Deaf Mute Sermon," which was suggested by the sight of the late Father Michael McCarthy, S. J., preaching in St. Francis Xavier's Church, New York:

In silence which no weighted sound could plumb,  
I sat before the pulpit, while a son  
Of canonized Ignatius deftly spun  
A sermon with quick fingers and a thumb:  
And seated there among the deaf and dumb  
It seemed to me, remembering Babylon  
Of the many living languages, that none  
Became so much that Stilly State to come:

For at the Benediction, music pealed  
A chant of mighty chords, and suddenly  
The Cleric to his only hearer sang,  
As sung a lark one distant morn to me  
O'er the Deaf and Tongueless lying in their field,  
While the Irish bells of Limerick loudly rang.

Though Mr. MacDonnell has included in his volumes some pieces which neither in theme nor in treatment rise above the ordinary, he is always a conscientious craftsman, and avoids carefully vague, cloudy words and faulty rhymes. Discerning readers of "My Ireland" will no doubt agree that the author, though American-born, has inherited the genius of the "song-stricken" Gaelic bard. The one boon he begs of "Dark Rosaleen," his foster-mother, is "a grave in your ground" and in the last poem in the book he prays:

O God that I  
May arise with the Gael  
To the song in the sky  
Over Innisfail.

But during the long years that will pass, let us hope, before Mr. MacDonnell's pious wish is granted, he must not disappoint numberless friends and admirers who will be looking to him for new volumes of poems on "My Ireland."

WALTER DWIGHT, S. J.

## REVIEWS

**The Ethics of Medical Homicide and Mutilation.** By AUSTIN O'MALLEY, M. D., Ph. D. LL.D., New York: Devin-Adair Co. \$4.00.

There never was a time, perhaps, when there was greater need of a clear exposition of the ethical and Christian principles which should govern medical practice. There are many cases in which the physician and the surgeon find themselves confronted with problems in which they have to reconcile professional experience with moral principles, and in which their duty to their patients and to society in general has to be interpreted in the light of those deeper and more imperative mandates of the natural law and the positive Divine law. These problems have to do with life and death, with human dignity and integrity, and can be correctly solved only by those who are acquainted not merely with the laws of science but with the laws of God. The interests of the individual and society must be consulted by the physician, but in securing those interests he must bear in mind the limitations laid down by the Lord both of the individual and of society. No doctor can make his way safely along the borderline of medicine and ethics, unless he be something of a moralist and a theologian, and no spiritual adviser can pronounce sound judgment on the difficult and delicate questions of pastoral medicine unless he have at least sufficient knowledge of the case at issue to insure his understanding of its moral bearing.

The tendency of medicine has been to rule God out of court and to pay little or no respect to His rights; at the same time it has become more and more steeped in materialism and has lost sight of the immortal and spiritual destiny of the human soul; and the consequence has been that the eternal laws which regulate human conduct, that of physicians no less than of other men, have been more or less eliminated. It has become, therefore, increasingly necessary for Catholics to secure the services of Catholic physicians, so as to have the assurance that the healing of the body shall not militate against the health of the soul. The scarcity of Catholic medical schools, and the necessity of correcting the principles not infrequently taught in non-Catholic schools, are the reasons which justify the scholarly work now published by Dr. O'Malley. The diversity of his acquirements make him well qualified to write it. A physician of unchallenged eminence, a moralist of so high an order that for years it has been the practice of theologians to ask his advice, and a Catholic of uncompromising loyalty to the Church and her decrees, he has put into this book the fruit of prolonged study. It cannot be too warmly recommended to priests and doctors.

J. H. F.

**Ireland's Fight for Freedom.** Setting Forth the High Lights of Irish History. By GEORGE CREEL. Illustrated. New York: Harper & Brothers. \$2.00.

It has been well remarked that the chief reason why many fair-minded Americans do not realize the justice of Ireland's demand for independence is their ignorance of Irish history. The "High Lights" of Erin's story which Mr. Creel sets forth in this short and readable volume will no doubt help to scatter the darkness. Beginning with the "The Story of Home Rule," the author then tells how the Coalition Government broke faith with Mr. Redmond and offered the Ulsterites treatment that was strikingly different from that the Catholic Nationalists received. Mr. Creel then brings out the salient facts of the "Five Centuries of Irish War" and the two of "Irish Rebellion," discusses the so called "Ulster Problem," contrasts England's attitude toward Canada with that shown Ireland, and ends the book with a convincing answer to the question "Can Ireland Stand Alone?"

The author's exposure of the Tories' hypocrisy regarding Ulster is particularly effective. After showing that such patriots



as Mitchell, Curran and Butt were Protestants from the North, and that "at every point in history Ulster stands as the vital force of Irish rebellion, the most inplacable in its hatred of English rule," he asks what made Ulster change from a hotbed of republicanism to a refrigerating-plant of monarchism" and gives this answer:

Opposition to Irish self-government is the Tory party's sole remaining stock in trade, or to put it more plainly, the "religious issue" involved is the Tory fig-leaf. Take it away and the ugly nakedness of Tory standpattism would be revealed mercilessly down to the last sordid detail. As long as Law, Cecil, Balfour, Milner, and Curzon can stand in the position of "protesting" the "loyal Protestants" of Ulster against the "Scarlet Woman," just so long can they draw attention away from the fact that the Tory party's *raison d'être* is to fight progress and to resist every reform that menaces the special privileges of the ruling class in England. Always and everywhere the forces of reaction seek and have sought, a "religious issue" or a "moral issue" in order to divert people from industrial and economic wrongs. . . . The Irish government costs about \$150,000,000 a year and provides lucrative jobs for 100,000 worthy gentlemen, usually English or Scotch, and, naturally enough, there is no burning desire to see these jobs turned over to the Irish.

For effective propaganda purposes the price of "Ireland's Fight for freedom" is too high. A new low-priced edition should be brought out at once.

W. D.

#### BOOKS AND AUTHORS

The August 22 issue of the *Catholic Mind* is a good arsenal of arguments against the Smith-Towner bill for establishing an educational autocracy at Washington. Father Francis Heiermann, S. J., has gathered together from such varied sources as the writings of Herbert Spencer, John Stuart Mill, Cardinal Mercier and Dr. Michael Cronin, strong reasons for opposing State-monopoly of education and reminds us that "eternal vigilance" is the safeguard of liberty. Archbishop Glennon then emphasizes the importance of "Religion in the School," the Bishops of Germany explain "The Perils of Socialism" and Father Reville continues his valuable list of books on church history.

Riding on the crest of a wave of popularity which his exceptional gifts as a war-correspondent have brought him, Mr. Philip Gibbs, the English Catholic journalist, has written a preface for the authorized American edition of "The Street of Adventure" (Dutton, \$1.90), a novel which came out ten years ago. It describes the life lead by the newspapermen of Fleet Street. The book's central figure is Frank Luttrell, a young Oxford man who leaves teaching to become a reporter, his fortunes rising and sinking with those of his paper, the *Liberal*. Various types of journalists are entertainingly described, and Frank's courtship of the fair Katherine, who "does the fashions," supplies the romantic element. Margaret Hubbard, a motherly Catholic lady, is an engaging character who reforms Edmund Grattan, an Irishman with weaknesses. He tells Frank that "The reverence of Divine motherhood in the sacred and beautiful figure of Our Lady is very cleansing to the filthy hearts of men. The thought of Divine motherhood and virgin innocence drags them out of the mire. . . . That is why the Irish people never indulge in the black, unnatural vices of humanity."—A morbid mind conceived the lewd monster who is the "hero" of "The Moon and Sixpence" (Doran, \$1.50) a novel by W. Somerset Maugham. It is the story of an English broker who deserts his wife and family to be an artist, becomes a "genius," paints indecent pictures, and ends by living and dying like an animal on the island of Tahiti. Books of this kind will of course be written, but why publish them?—Branding the Book of Judith as "apocryphal," though the Church, the Bible's only lawful guardian and interpreter, declares that portion of the Old Testament canonical, Arnold

Bennett has left "The Five Towns" and written an offensively "modern" play called "Judith" (Doran, \$1.00) about the valiant woman whom God raised to preserve His people from their enemies. The dramatic critics say that the acting version of the play violates the common decencies of life.

#### EDUCATION

##### The American Spirit and the Smith Bill

A MEMBER of Congress, mildly interested in the subject, recently wrote to a constituent asking why the opposition to the Smith bill seemed confined to members of the Catholic Church. The assumption underlying this statement is equivalent to an assertion that Catholics alone are bravely fighting the most dangerous menace to American principles that has ever been proposed to Congress. Happily, however, the Congressman's assumption was groundless, since the "opposition to the Smith bill" is by no means confined to Catholics. The notable speeches recently delivered in the Senate of the United States by Senator King of Utah and Senator Thomas of Colorado, spring from a devotion to constitutional principles of government which still claims a wide acceptance among American citizens, irrespective of their religious affiliations.

##### CATHOLICS AND THE CONSTITUTION

YET there is a good reason why the most vigorous onslaughts against the Smith bill have been planned and led by Americans who are members of the Catholic Church. Men and women thoroughly grounded in the principles of Catholicism have eyes to discern the remote, as well as the immediate, consequences of over-centralization in government, particularly in the Federal Government. No well-trained Catholic will be found with hand raised against any government, when that government acts within the limits prescribed by justice, and sanctioned by the Constitution which established it, and the laws by which it, as well as its citizens, is bound. He knows that disobedience to legitimate public authority is disobedience to God himself from whom all well-ordered authority is derived. On the other hand, Catholics who have generously imbibed the spirit of their Mother the Church, are quick to resent any governmental assumption of power which entrenches upon the rightful liberty of the individual, or contravenes the written safeguard of a country's liberty, its constitution.

That in a constitutional government nothing, however, desirable it may be, can be done if it cannot be done constitutionally, is a principle of Catholic, as well as of American, polity. Studying the Constitution of the United States, the Catholic understands that the government contemplated by that document is a government of specified and limited functions. In the enumeration of the powers conferred upon the Federal Government, he finds not one which, upon payment of a Federal subsidy, gives the Federal Government authority to dominate the schools of the respective States, much less to examine them, to set standards for them, to dictate courses of study for pupils and teachers alike, and finally to penalize such States as decline to permit the exercise of this arrogated function. Furthermore, from his study of the debates of the Constitutional Convention, he knows that not by oversight did the framers of the Constitution neglect to confer upon the Federal Government power over the schools of the respective States. Questions pertaining to public education engaged their attention, but their conclusion was that a matter so intimately affecting the welfare of the local communities, should be left entirely under the control of the respective States. Of set purpose, therefore, they refused to clothe the Federal Government with any authority over the schools which might be founded or authorized by the States.

##### WITHHELD BY THE CONSTITUTION, CONFERRED BY CONGRESS

TURNING then to the Smith bill (S. 1017), he reads a document which, however laudable in the purposes it seeks to encompass, confers upon the Federal Government a power delib-

erately withheld by the framers of the Constitution. In what purports to be an encouragement of "the growth of Americanism," he will find the complete charter of an institution most foreign both to the Constitution and to American ideals, a direct Federal censorship over the public schools of the States. The bill provides the creation of a Federal Secretary of Education, not a lay-figure, but a political appointee with powers as unique as they are dangerous. To this officer it is proposed to entrust, and at a time when the general unrest fostered by abnormal economic conditions threatens national financial disaster, the annual distribution of \$100,000,000 among such States as are willing to barter their educational independence. Waiving for the moment the constitutional warrant for the application of Federal funds to local needs, he asks himself, first, if this is a time for financial experiments of this magnitude, and next, whether it is wise to entrust a political appointee, however well-meaning, with the exclusive supervision of this great appropriation, together with such other sums as by the application of political motives may be granted by, or extorted from, Congress.

Again he scans the Constitution to discover in its letter or spirit, some justification for the creation of this money-bag official, the Federal Secretary of Education. Enriched as that venerable and forgotten document is with wild-cat amendments, the latest of which aligns the supposedly free American citizen with Betsy Prig and Sairey Gamp, who could not be trusted in the same room with a bottle of brandy, he nowhere comes upon clause or section or amendment, authorizing the National Educational Association's royal distributor of patronage to superannuated pedagogues and spineless mendicant States. And since this power has not been conferred upon Congress by the Constitution, he concludes, independently of his religious creed, that it does not exist.

#### HOW THE STATE "COOPERATES"

**E**NDEAVORING to reconcile the provisions of the Smith bill with his knowledge of the Constitution, the seeker after truth puts a practical question: "How will the State of New York, for instance, arrange to 'cooperate' with the Federal Secretary of Education?" He will find the answer in Section 14. The chief educational authority of the State is directed to report in writing to the Federal Secretary of Education. This report must show, to the satisfaction of the Secretary, that the State of New York, preparing to shift its proper burden to the Federal Government, "is prepared to carry out the provisions of this act." The question then arises, "What are the provisions of the act?" These are specified in Sections 8 to 12, both inclusive. They enumerate the instruction of illiterates, ten years of age and over, in "the common school branches and the duties of citizenship"; the Americanization of immigrants, a consummation to be reached by teaching them "to speak and read the English language, and to understand and appreciate the spirit and purpose of the American Government" which in these days much resembles an order to teach them the intricacies of the calculus, "and the duties of citizenship in a free country"; the improvement of educational opportunities by the partial payment of teachers' salaries, better instruction and longer school-terms, especially in rural districts, and the extension and adaptation of public libraries for educational purposes; the promotion of physical education; the preparation of teachers for public-school service, and the improvement of teachers in service, by the establishment of scholarships and otherwise.

In his report to the Secretary, the chief educational authority must submit to the Secretary of Education a complete account of all that the State of New York is doing and is prepared to do, to further these purposes. He must establish, to take a dangerous instance, that the State of New York is properly teaching "the duties of citizenship" and "the spirit and purpose of the American Government," and submit himself in this, as in every other detail specified by the bill, to the sole judgment of the

Secretary. If the Secretary refuses his approval, the State of New York must revise its course of study for the children in the schools and for the teachers in the normal colleges, to the degree prescribed by this political appointee, or, if so ordered, not merely revise them, but reform them altogether. If this power, conferred by the Smith bill upon the Secretary, does not make that official an educational dictator, the meaning of the phrase has changed since the current dictionaries were electrotyped.

#### THE POWERS OF THE DICTATOR

**S**UPPOSING the educational program of the State of New York to have merited the august approval of the political appointee at Washington, the State, to insure a continuance of that benign favor, must continue to subject itself to the Federal autocracy. The Secretary is not only permitted but directed to take such means as may be necessary "to insure that all funds apportioned to said State shall be used for the purposes" for which they are appropriated. Granted the principle of the Smith bill, this provision is altogether necessary. There is no escape from the conclusion that whatever the Federal Government subsidizes, whether it be the waterway leading to the Gatun dam or schools in the respective States, the Federal Government will control. Obviously, then, any studies or courses of study which the State of New York may wish to introduce must be approved, as in accordance with the purpose of the act, by the Secretary of Education. Similarly, should the State wish to discontinue, or to revise, certain methods in the training of its teachers, or to adopt an entirely new program, such action cannot be taken without the permission of the Secretary. Force is imparted to his orders by his control of the \$100,000,000 Federal appropriation. Should he judge that the "apportionment or apportionments are not being used in accordance with the provisions of the act," he is directed to withhold them, and he will also close the sluice in the golden stream, should the State of New York fail to render an account of its educational work later than September 1, in any year.

As it is not to be supposed that the Secretary of Education will be advised by a kind of clairvoyance concerning the work of the schools in any "cooperating" State, the conclusion seems legitimate that the Secretary will obtain this information through the examiners, investigators, and the assorted crowd of Peeping Toms and Paul Pry's, who armed with Federal credentials, will descend upon the schools of the respective States. Of course, as should always be remembered, the Secretary will exercise no control whatever over these schools. *He will merely plan their courses of study, direct the training of their teachers, call them to account when they fall below the dizzy altitude of the Federal standards, and cut them off from all Federal apportionment, when "in his judgment" this punishment seems advisable, or for political reasons, imperative.*

#### THE ULTIMATE REASON OF OPPOSITION

**T**HE "well-trained Catholic" with whom began this journey through the arid wastes of the Smith bill, seems to have disappeared in a welter of words. But not so, nor is he standing, knee-deep in futile tears, near any broken arch in New Zealand, or elsewhere. He is in the United States, doing what he can to destroy the menace of the Smith bill. Opposition to the establishment of a Federal educational dictator, as far as it is manifested by Catholics, is not based, as Senator Smith seems to fear, upon any desire to rally all the little Presbyterian Smiths from Georgia under the dome of the capitol, to instruct them in a digest of the conciliar decrees of Trent. No doubt by this time Senator Smith and his friends are thoroughly ashamed of his recent attempt to drag a dispute of the "Maria Monk" type into the discussion of a proposed Federal law. By degrees he may be brought to understand that the opposition of American Catholics and of thousands of Americans who are not Catholics is based upon their understanding of the Constitution of the United



States and the purposes of its framers, and that it is enforced by their sympathy with the highest ideals of American life.

PAUL L. BLAKELY, S.J.

## SOCIOLOGY

### The Craze of Nationalization

AS a symbol of inefficient bureaucracy, nothing could be more effective than a telephone or telegraph pole. It tells without words a story of bureaucracy, and tells it most powerfully. For, poles remind one of big sticks, and big sticks remind one of clubbing. Perhaps the American public does not need a reminder of the clubbing it received from bureaucratic big sticks. The sores it still feels are reminders enough. From the experiences gained during the war-regime of bureaucracy, many think that government ownership is a good thing in the sense that a dead Indian was said to be a good Indian. Government ownership, they say, is dead never to be resurrected again. A lesson has been taught that ought to last for all times to come. Archaic and autocratic government ownership has made itself ridiculous and despised until the crash of doomsday.

### THE PROPAGANDA IN ENGLAND

WHATEVER the sentiments may be, so largely adverse to government ownership of public utilities and public services, the idea is nevertheless seething in influential groups of men, that land, all natural resources and industries of every kind should be nationalized. The ownership of these things should pass from the hands of private owners into the hands of the nation at large. The propaganda of this craze of nationalization should not be underestimated. There are powerful labor groups at work spreading this idea. The British Labor party is one of these groups, so powerful in its membership and so powerful in its control, that it practically holds the destiny of England in the hollow of its hand. For instance, the famous "triple alliance," composed of the federations of miners, of railwaymen, and of transport-workers, could use its power to tie up the arteries of commerce and starve England into submission within a week or two. Within this period the whole country would be fireless, trainless and foodless. These organizations comprise with the families of their members something like seven million persons, or one-sixth of the whole population of England. If to these federations are added the other unions of organized labor, it can readily be seen what an influence their members wield in Great Britain. There can no longer be any doubt that these ideals are in the minds of not only the leaders, but of the workmen themselves. They speak plainly of a nationalization of all natural and industrial resources. The program published by the British Labor party, "Labor and the New Social Order," makes this clear beyond any mistake. The ideas of this program have spread like wild-fire. Demands for copies of it, when it first appeared, were so numerous that for weeks the secretary's office in London looked like a post-office with the incoming and outgoing mail.

### GILD SOCIALISM

IT is only about four months ago that the industrial parliament of over 300 employers and an equal number of employees in England, received a report from the Provisional Joint Committee which had been appointed by the parliament, to consider the causes of the present unrest and the steps necessary to safeguard and promote the interests of workpeople, employers, and the State. This committee was comprised of thirty representatives of industry and of thirty representatives of labor organizations. The report itself contains little that is new. Its interesting feature is the memorandum attached as an appendix to the report, carrying the signatures of Arthur Henderson and G. D. H. Cole. Now Henderson, though not a party Socialist, has no doubts as to the reconstructive value of Socialistic principles. His efforts to secure a meeting for the British Labor leaders with

the socialists at Stockholm last year are well known, and together with Huysmans, the noted Belgian Socialist, he engineered the Berne Conference of Socialists which was held while the Peace Conference sat at Paris. As to Cole, little need be said, since his theories on gild Socialism, have found such wide acceptance, even in what were formerly held to be conservative labor circles of England. Gild Socialism presupposes the Collective State. It demands the ownership of property by the State, and, as a balance to such power of the State, it demands control and management of this State-owned property by the various gilds of the workers. It is a reaction against the officialdom and the bureaucracy of extreme State Socialism. But it is Socialism nevertheless. It is convinced of the helplessness of the existing capitalistic system of organization of society, and consequently reiterates most emphatically, in the words of the memorandum, "That the widest possible extension of public ownership and democratic control of industry is the first necessary condition of the removal of industrial unrest."

### THE IDEA IN AMERICA

IDEAS do not meet the fate of Hawker when flying across the ocean. They have a subtle manner of getting there. Recent developments in American labor circles show conclusively that ideas of nationalization have not suffered disaster in their flight across the waters. To say that the American public will be immune for a long time from this latest Socialistic craze, as expressed in the idea of nationalization, is to indulge in a false security. It is the security of the ostrich, with its head deep in the sand, and the hunter right behind. While it is true that the Social Democratic party, the exponent of State Socialism, has lost much of its force in this country, first, because of its many foreign-born leaders, and secondly, because of its anti-patriotic attitude in the war; and while it is true that government ownership is in the same plight as the sick man of Europe ever since the fiasco of "democratic" bureaucracy, still the fact remains that ideas of nationalization are steadily gaining ground. The American Federation of Labor, the greatest labor body in the world with respect to numbers, has the reputation of conservatism in principle and in policy. It is not a political party like the British Labor party in England. It has consistently torn down the red flag of radical labor leaders who sought to fly their colors within the organization. It refused to send delegates to any of the Socialistic conferences in Europe held during the war. It sent representatives to England and France to line up the labor forces behind the Government when there was danger that labor, which at this time hobnobbed with the Internationalists of Socialism, would break away from the Government at a very critical period of the war.

It is ominous, then, that the conservatism in American labor ranks is giving ground to radical agitation. Mr. Gompers, the uncompromising opponent of Socialism in the American Federation, faces a crisis in his career as labor leader. Five strong State federations have already broken away from his leadership. The federations of New York, Ohio, Illinois, California, and Pennsylvania have formed Labor parties for political purposes and have issued programs which, in some of the radical measures advocated, might be termed reprints of the British Labor party program. They have caught the idea of nationalization, or rather have been caught by it, and it is growing into a possession. At the convention of the American Federation of Labor, held recently in Atlantic City, the proposal of nationalization of the railroads was met with loud and prolonged applause.

### PROPERTY AND AUTHORITY

THE world of ideas is being revolutionized as regards the ownership, control and management of property. For the economic, political and social wellbeing, nothing is so important as a correct idea of property. Property is one of the seats of

authority. The plain, unadorned sign on the lawn, with its peremptory command, "Keep off the grass," is but one of the hundred of instances which could be mentioned to show what authority property wields. The tenant often enough experiences the vexations which property brings even into the personal details of his life. The laborer in the field or the worker in the shop has learned with what exacting authority property governs practically every minute of his working time. The very machines at which he works seem to hum and to pound into his ears all day long, "You must not do this and you must not do that." Property, indeed, as developed under the influence of absolutistic individualism of eighteenth-century philosophy, came to lord it most autocratically over the lives of great masses of the people. Cruelly it often exacted a bloody toll from lives, not only of men, but also of women and children. It abused its authority in a heartless and brutal manner. It forgot that while property had rights, it also had duties, duties toward lives more sacred than property could ever be.

#### STATE OWNERSHIP AND ABSOLUTISM

**T**HERE is danger of a similar pernicious absolutism if property is concentrated in the hands of the State. Personal freedom is endangered. And personal freedom is an essential condition for progress in society. State ownership of property would tend to shackle it. The balls and chains on the hands and feet of a convict in a State-prison would be quite bearable in comparison with the shackles which State ownership of property would forge for the members of society. Gild Socialism does not solve the problem. Even though it is less bureaucratic than State Socialism, even though the control and the management of property would rest with the gilds of the workers, nevertheless the title of property would reside in the State. Such absolutism is as dangerous as any absolutism that ever existed.

Men are wise if they are wise in time. The current of present-day social thought is strong. It needs to be directed rightly. It is part of social wisdom to erect breakwaters which will deflect erring currents into socially useful channels. The solid rocks of ethical principles, principles of justice, of personal freedom, of natural rights, of duties must furnish the materials for an effective breakwater against the devastating currents of modern social thought.

A. J. MUENCH, M. A.

#### NOTE AND COMMENT

##### Captain X's Self-Sufficiency

**T**HOUGHTS of France are phrased instinctively in terms of generosity. So at least it has been in the United States. And one of the motives that made us glad to take our place beside Frenchmen in their struggle for liberty was the desire to emulate the example given us by them more than a century ago. We have never minimized the services rendered to us by them at the time of the American Revolution, and we welcomed the opportunity of showing our gratitude in a practical and effective manner. A sense of modesty has kept us from enlarging upon the extent of our service. We were content to let facts speak for themselves. We thought they were unmistakably clear. It appears, however, that we were mistaken. A Frenchman, Raymond Recouly (Captain X), writing in the August *Century* sets us right, for in his article, "The Remaking of France," he says:

In the year 1918 American troops transported to Europe, organized and trained with a rapidity that will forever call forth admiration, entered the conflict. But at the very moment when America was about to produce effective results, Germany, at the end of her resources, demanded an armistice and accepted all our conditions.

It ill becomes us to be boastful of our share in the war, but we shall certainly be pardoned if we keep our own counsel on the matter and do not take the words of Captain X too seriously.

Americans who followed the tide of battle, and are acquainted with the circumstances which led up to the armistice, whose sons were killed at St. Mihiel, at Château Thierry and in the Belleau Wood, who stinted themselves that France might not starve, who "gave until it hurt" that France might be helped financially will be more inclined to think, though they may not say it aloud, as President Wilson evidently thought, when he said some days ago: The United States "saved Europe by force of arms; she must now save it by her action in peace." Mr. Wilson is in a better position to estimate the effective military assistance we gave to the Allies than Raymond Recouly, and in the meantime we may confidently believe that he speaks as an individual and not for Frenchmen in general.

##### Not Ripe for Anarchy

**T**HAT America is not ripe for anarchy was the experience of a New York agitator who recently distributed the following leaflet to pedestrians along Broadway:

Who caused the loss of millions of lives? Governments. Who caused the waste of billions of dollars? Governments. Who are causing the high cost of living? Governments. Who are causing the high rents? Governments. Who are suppressing free speech and free press? Governments. Who send men and women to jail for merely trying to educate their fellow-creatures? Governments. Who denies to the workingman the knowledge and means to control the number of his children? The U. S. Government. Who are so foolish as to create and support governments? The people. Who are so silly as to go to the polls on election day and vote to put men they know nothing about in office to rob and tyrannize over them? The people. Is it not about time the people woke up to the above facts and did a little something toward reducing and ultimately eliminating governments? Have we not seen that government is essentially immoral?

The dodger had hardly been read by the people when a crowd gathered and the cry of "Lynch him!" became ominously significant. "You don't know how close you are to a first-class hanging," the patrolman said, who edged through the dense masses that crowded the street and took his prisoner into safe custody. Yet it is time that governments take heed of the just complaints of the patient people who are looking to them for help and for redress, lest the constantly growing clamor of anarchist agitators may gain an effective hearing.

##### Sacrificing Lives for Prohibition

**T**HE following letter to the editor of the New York *Herald* from the Rev. H. M. Dumbell, rector of the Protestant Episcopal church at Delhi, N. Y., deserves to be carefully pondered. It is a serious document, lifted far above the sphere of politics, and written in the spirit of absolute sincerity:

There are nearly half a million diabetics in the United States, of which number I am one. According to the works of modern specialists there is no disease in which the use of alcohol is so justifiable and necessary. Many of us have very low tolerance for carbohydrates. I have fought this disease successfully for years, using whiskey at the critical times, sometimes for many weeks at a time. I am my own physician. I am now unable to procure spirits and, suffering from an infection, I am losing ground rapidly.

Prohibition is an outrage and a denial of Christ, who made wine at Cana of Galilee. Christians who claim to believe that Christ is God set their opinions above His teaching and say it is a sin to drink the wine. Do such actually believe that Christ is God? No. Their profession is hypocritical.

Prohibition will cause the death of many good people who are useful in the world and doing good work. America ceases to be "the land of the free."

Prohibition, on the statement of those who have watched its application in certain of our camps during the influenza epidemic, is already accountable for the sacrifice of many patriotic American lives.